



*EFOR Policy Brief no. 89
August 2020*

Even though election observation was affected by the COVID-19 pandemic, it remains an essential part for the credibility and integrity of an electoral process. Expert Forum explores varied experiences from several countries and proposes a list of good practice measures for domestic election observation organizations.



Planning election observation during the COVID-19 pandemic

The COVID 19 pandemic determined governments and electoral management bodies (EMBs) to reconsider how to organize elections¹. While most elections during this period have been postponed, the reality is that, eventually, they will have to be organized under these special conditions.

A number of international organizations published comprehensive reports related to the special measures that authorities could put in place².

On the other hand, election observation remains a topic that requires a high degree of consideration under the current challenging circumstances.

At global level, the postponement of elections led to a reconsideration of deploying international observation missions such as those supported by OSCE/ODIHR or the European Union. In the past months, ODIHR has deployed several limited special assessment missions in countries such as Serbia, North Macedonia, Poland or Croatia³. Domestic observation organizations have deployed observers in those specific countries, while adapting their methodologies to the local situation.

The purpose of this brief is to draft a few practical directions on organizing

an observation mission under the COVID 19 pandemic, with reference to the strategies adopted by some of the European domestic organizations. The list includes conclusions drawn up during an international debate organized by Expert Forum on 20 July 2020⁴.

Furthermore, the paper will also include some insights on the strategies adopted by the Romanian NGOs part of the *FiecareVot* (Every Vote) election observation coalition that will monitor the local and parliamentary elections later this year. [FiecareVot](#) is a civic, volunteer based domestic initiative which observed all the elections and referenda in Romania since it was established in 2016. More than 4,000 observers enrolled in its campaigns.

The impact of pandemic on election observation

The epidemics affected most of the stages of the electoral process. The logic of electoral campaigns, support raising, complaints, the working procedures of the electoral administration or organizing the election day (E-day) had to be adapted. In most countries, the legislation was amended hastily, with limited debate, in spite of international standards and good practices. The process has a limited transparency due to reduced physical contact, improvised procedures, altered

¹ See Election Watch - [Rapid Assessment: Covid-19 & Elections in Europe](#)

² See IFES - [Safeguarding Health and Elections](#), GNDEM - [Guidance on Election Monitoring During the COVID-19 Pandemic](#), International IDEA - [Elections and COVID-19](#).

³ Elections in Serbia took place on June 10, in North Macedonia on July 15, while in Poland were initially planned for May 10 (the election day was not cancelled, the voting process did not take place), but were rescheduled for June 28 and July 12. In Montenegro elections will take place on August 30.

⁴ The debate is accessible on [EFOR's website](#). The agenda featured the following speakers:

Fernanda Burić – Senior Research Officer, Center for Applied Research and Learning, International Foundation for Electoral Systems (IFES); Michael Lidauer – Election observer, Wahlbeobachtung.org (Election-Watch.EU) (Austria); Vujo Ilić – Policy and Research Advisor, Centar za istraživanje, transparentnost i odgovornost / Center for Research, Transparency and Accountability (CRTA) (Serbia); Zofia Lutkiewicz – Vice President, Fundacja Odpowiedzialna Polityka / Political Accountability Foundation (Poland) and Zlatko Dimitrioski, Analyst, Citizens Association MOST (North Macedonia).

working rules for the electoral administration and many others.

The deployment of domestic observation missions was affected by a lack of observers, caused by diverse reasons: fear of infection, a number of medically vulnerable observers, short timing to organize the process or legal limitations. Additional difficulties may have occurred when deploying long term observers (LTOs), due to short timelines, declared states of emergency⁵ or increased risks of contamination in some localities or regions. In other words, organizations also had to rearrange their observation plans in order to cope with the current situation, while ensuring safety and efficiency at the same time.

One of the main questions that remains to be answered in this context is **how relevant are observation efforts are**, under the current conditions. And the answer seems to be simple: **domestic observation campaigns are even more important at this point**, considering the above mentioned context. Moreover, as the deployment of international missions seems to be rather difficult and limited, the reports and conclusions of these missions gain extra weight, including from the political point of view.

What is to be learnt?

The following section include some of the questions and issues tackled by CSOs that already observed the elections, but also our own considerations, without being an exhaustive list.

⁵ CRTA had to stop its activities during the state of emergency and continued afterwards with a lighter format. LTOs performed activities in localities over 1000 citizens. In total, the organization accredited 1,700 observers.

1) Collaboration with institutions

- Domestic observation organizations could get involved in the preparation of the voting day, throughout the process, by putting their priorities on the agenda of the decision-makers and/or the electoral administration. Early discussions could help improving the manner in which authorities organize the process. For example, EFOR organized two meetings⁶ during the state of emergency: one with the electoral administration and the other one with the political parties, in order to better understand their priorities and to share a policy paper with recommendations for the organization of elections.
- Provide input on how to ensure better protection of observers and other stakeholders, as the successful observation depends not only on the behavior of the observers, but also on the members of the electoral commissions, voters or other institutions engaged in the voting process.
- Discuss with the central electoral administration to make sure that the election commissions understand the role of observers, their attributions and that safety measures are properly put into place.

2) Recruiting observers

- Expect to have less observers than in normal conditions. The

⁶ See [Elections in pandemic. Scenarios](#) (report and debate) and [Organizing elections during the pandemic. The scenarios of political parties.](#)

organization will have to balance between the number of observers (getting as much information as possible) and a lighter campaign in order to ensure their safety.

- Expand your pool of accredited observers, as some may withdraw or get sick. Also, as the organization may want to organize multiple shifts during the E-day, a higher number of persons will be needed.
- Expand your usual recruiting pool. Due to health and age limitations (elderly people with serious medical conditions or chronic diseases that may not be able to participate), it may be a good occasion to find new means of drawing new categories into your observation campaign.

3) Training and accrediting the observers

- Organize trainings for more observers than you actually intend to deploy during the E-day.
- Explain beforehand very clear to your potential observers what are the risks, what is your plan to mitigate them and that safety is the most important aspect.
- Make sure that observers are thoroughly informed and understand the new measures in place. Some veteran observers are accustomed to certain procedures. Therefore, it is essential to insist on the newly introduced measures both in terms of sanitary protection, but also in terms of electoral procedures (for example, using the mobile

ballot box or safe identification of voters).

- Include in all your training materials and activities clear information about the rules imposed by authorities, best practices and your own advice related to prevent observers getting sick.
- Mitigate the risks related to disinformation (*the virus does not exist, it's just a flu, the mask makes you sick*) and make sure that your observers understand the medical advice and realities. Better to have less yet informed observers rather than more who could potentially violate the rules.
- Remember that observers should set an example by following rules and violations of the electoral or safety rules may affect the credibility of your campaign.
- Include a clear statement in the accreditation process (as a legal binding contract) that breaking the rules may lead to the withdrawal of accreditation. For example, observers should not be allowed to participate in the observation process if they develop symptoms and should properly inform the accrediting organization and the relevant authorities.
- Adapt the trainings and transfer them online, if possible⁷. Trainings can be recorded and put at the disposal of the observers through online platforms or organized through online communication platforms (Google Meet, CISCO Webex, Microsoft Teams etc). Start early to prepare the trainings and the technical framework,

4 ⁷ MOST organized LTO trainings online and trainings for STOs offline, respecting using distancing.

- but remain flexible to adapt the content.
- Taking into consideration the rapid change of legislation⁸, the trainings should be flexible and to be organized (especially for short-term observers (STOs) as close to the day of the election as possible. Although online trainings reduce the contact with the observers, they may ensure the participation of more persons, provide more flexibility with the program and reduce the costs of time, money and human resources. This kind of training also ensures the proper training of the observers accredited for the out of country voting. Moreover, it can provide the possibility to ensure the testing of the observers.

We realized that trainings had to be moved online as the travel and gatherings presented the risk of spreading the virus. And I think it's also had special weight this year, because we expanded the operation, we had around three quarters of all observers that were first time observers. So they needed to be trained properly. We decided to move it online. It took around a month to prepare an online education and testing tool. We took the whole electoral process, divided it in nine modules, with three to six units, around 40 units in total. And the units were audio visual lectures, which were subtitled, contained explanations of the process. And each model was followed by a test. We put an 80 percent threshold for stepping up to the next module. And in the end, there was the final exam with, again, 80 percent of correct answers required to pass... The quality did not suffer at all and we actually improved the way that we observed. [CRTA]

⁸ In Romania, the Central Electoral Bureau (CEB) can issue instructions and interpret the law even during the day of the elections. In Serbia, regarding the use of protective gear the Republic Electoral Commission issued

- Consult one or more medical specialists before drafting your indications. This will ensure the accuracy of your recommendations and will enhance the trust of the observers in the activity that the organization coordinates. FicareVot will include a dedicated section in the observer's manual and in the training sessions, with legal requirements, official advice on how to protect from COVID-19, as well as additional regulations imposed by the coalition.

We consulted a medical professional who prepared a set of guidelines for us and for our observers. So we had this expertise on how observers should handle themselves, how often they should basically switch their gloves and masks and how many how many coverings they should have for an entire day and night of work. [Fundacja Odpowiedzialna Polityka]

- Avoid using paper forms and other printed training materials, such as observer manuals that can be distributed in electronic format. Several organizations use smartphone applications or SMS reporting. In Romania, FicareVot uses the VoteMonitoring application developed by CodeforRomania, while in Poland Fundacja Odpowiedzialna Polityka used an application developed by Fundacja ePaństwo.
- Start early with the accreditation process, as the EMBs could be facing situations when they are overwhelmed with other tasks or understaffed.

instructions only five days before the elections, which CRTA assessed as good but too late for the process (observers had to wear masks, as the members of the polling commissions; for voters, masks were only recommended).

- The accreditation process could be adapted, when necessary. FiecareVot will reduce direct contact with observers and will distribute the badges and some other materials through postal services.

center and us that are processing the data had to be constant. Basically, they couldn't work with a remote call center. That's something that we really thought about. But I think it was a good choice to have to physically close. [CRTA]

4) Human resources

- Be prepared for higher budgets for safety measures, additional human resources or investments in online platforms.
- In adapting to online resources, make sure to have enough staff that can develop the new tools and to provide technical assistance when needed.
- Make sure you have enough time to test the new tools in order to provide functional platforms to the public – registration platforms, application for filling e-forms etc.
- Make sure to have a sufficiently staffed support center for observers. A medical consultant could be part of the core team.

- In order to ensure a proper and efficient coordination of the process, while combining work from home and in the office, request COVID-19 tests for the key members of the team

Two days before Election Day, all the people who were present in the central office of MOST - around 40 people - were tested for COVID. [MOST]

5) E-day strategy

- Provide safety toolkits to observers, if the state does not implement such specific measures⁹. In any case, the organization should have its own reserve of supplies. For example, MOST provided two masks and a pair of gloves and disinfectant to the observers.
- Properly enforce the rules on sanitary protection, even though the electoral administration and voters do not behave in accordance¹⁰. The organization should have clear procedures for the E-day, apart from the general regulations.
- Organize more shifts per polling stations, including breaks for meals that could be organized in safe environments.
- Some administrations may take decisions to reduce the number of persons present in a polling

One thing that was different this year is that we had an hourly estimate, basically because we wanted to see how the turnout was changing from hour to hour. We thought that this was important. Which puts more pressure on the call center. This was something that we were discussing: whether to keep the call center at their homes or have it at our HQ. But in the end, we decided to have a call center physically located next to our core team because the communication between the legal team and the call

⁹ In Poland, observers were not provided with safety toolkits by the state. In Romania, the law states that each observer can receive a mask, while members of the electoral administration are entitled to more such materials, depending on their level and activity. A [set of more extensive recommendations](#) has been published by the

Government. In North Macedonia, observers and members of the electoral boards were required to wear a mask.

¹⁰ According to CRTA, three quarters of the board members were completely following the rules, while around half of the voters were using the protection throughout the day.

station. In Poland, the Ministry of Health limited the number of people in polling stations to one person per four square meters. Although they may be aimed to reduce the risk of getting infected with COVID, this could also affect the transparency of the observation process. Provisions should be in accordance with international standards¹¹ and the introduction of such measures should not affect the access of observers in the voting spaces.

We as an organization did a bit of advocacy so that domestic and international observers and candidates, trustees could be taken out of this one person for four square meter rule. It's a bit controversial because in a way you don't want to have too many people in a polling station. However, there was the possibility that this particular regulation would be used to limit the presence of observers within the polling station.
[Fundacja Odpowiedzialna Polityka]

- The observation methodology including mobile teams should be adapted to couple observers that are in close contact and do not represent a risk for the partner. Take into consideration that this may affect the observation deployment (coverage, number of polling stations etc.)

In terms of the methodology, we usually send people in teams of two. This time we decided not to do that. We only allowed those people who either are in close contact or who live together to observe.
[Fundacja Odpowiedzialna Polityka]

- Observe the proper implementation of the special regulations on COVID-19. The presence of the observers in

the polling stations or around it may have a deterrence effect, as it could determine the electoral administration and other stakeholders to be more attentive when an observer is present. One strategy is to check a polling station the second or third time if using a mobile observation team, in order to observe the compliance to the rules in different times of the day; according to CRTA, in the second half of the day, the members of the commissions paid less attention to the rules. Make sure to have a dedicated section for this topic in your forms. Similar provisions could be included in the forms of the LTOs when observing the electoral campaign or the signature raising procedures.

- During E-day, ask constant feedback from the observers in order to better understand what is the actual situation in polling stations and other spaces related to the electoral process. This should allow you to adapt your operational and deployment plans, if the situation requests such measures.

Other aspects to prioritize

- Have a clear operational plan from the beginning, while being flexible to adapt. Proper planning of activities, budgets and human resources is essential for the sound implementation of the observation campaign. Clearly state your priorities if you do not have enough resources and have to cut some of the usual steps in the methodology.

¹¹ See Venice Commission [Code of Good Practice in Electoral Matters](#); ODIHR [International Standards and Commitments on](#)

- Early stages of the process may be affected by the **shorter deadlines**. For example, the voter registration may be less transparent and voters or other stakeholders may not have sufficient time to verify the electoral registers for accuracy. Also, the registers may not be properly updated if the date of the election is announced in a short time. Voter information and education may also be shallow or inefficient.¹²
 - **Alternative measures** to allow the work of the electoral administration and the electoral competitors by using electronic tools may be introduced. In some cases, candidates are allowed to submit their candidatures or to raise signatures by using electronic platforms. Still, due to the short timing, testing may not be properly done, generating issues related to the personal data protection or cyber security. Observation may also be limited. On the other side, the use of electronic instruments may be an opportunity to request for more transparency, such as the live broadcast of the electoral administration meetings.
 - Prioritize observing the implementation of **new voting methods**. Poland is one of the examples where the legislator aimed to introduce exclusive voting by using postal services;
- postal voting was in the end available for the actual elections, as an alternative, according to a bill voted on 2 June 2020¹³. In Romania, a legislative initiative to vote by postal and electronic means is in the parliamentary circuit. Introducing or extending special voting methods (postal, electronic and/or early voting) without prior testing could be challenging, but should be on the priority list of the observation campaign, taking into consideration the probable lack of capacity of authorities to handle the process and low level of understanding of voters. Also, the deadlines for registration could be very short, which may impede the possibility of voters to properly express their rights
- **Monitoring the voting process in the case of COVID-19 infected voters** may represent a high risk. Therefore, the organization must properly evaluate the risk and decide if the monitoring process would endanger the safety of the observers. For example, CRTA decided not to observe the vote in hospitals, while MOST did not observe the early vote for infected voters¹⁴. Fundacja Odpowiedzialna Polityka did not observe the postal voting for quarantined voters due to the short timelines¹⁵. On the other hand,

¹² Expert Forum runs a voter information project called Vot Corect (Fair Vote) – www.votcorect.ro, where the organization explains in plain terms the electoral rules, frequent asked questions and allows any stakeholder to send complaints, for which they receive legal support.

¹³ In Poland, postal voting was popular for out of country voting, while in the country the percentage was low. In two municipalities, due to the epidemiologic condition, voting was exclusively by mail.

¹⁴ Special teams composed of representatives of political parties and sanitary personnel visited the homes of the voters. Protective gear was used and had to be changed after each voter.

¹⁵ Voters can register for postal voting and a worker from the municipality or the postal services deliver the ballot at the voters' residence. The deadline for persons in quarantine was two days before the elections and voters had to vote in place and return the ballot to the officer.

CRTA observed the homebound voting process.

We didn't go to all 500 polling stations, but we went to the subsample of 200 polling stations. We also observed working from home. In general, I think it was important because of the increased numbers which were expected and because of the very high expectations in the public that this will be one of the mechanisms through which elections will be rigged. We thought this was important for the public to actually have reliable information on how this whole process went on. In general, our findings are that is that the percentage of irregularities was quite similar as to as to what we observe at the polling stations. We didn't observe exceedingly high number of irregularities in the voting from homes. [CRTA]

- Be prepared for recounting or re-voting process or to follow-up on court decisions. In Serbia, the Republican Electoral Commission decided to organize a re-vote on more than 200 polling stations on July 1, which was unprecedented. The organization should have a reserve of observers to tackle such situations. On the other side, if the epidemiological situation worsens (and more or less it did after the elections in 2020), the safety of the observers should be the primary concern.

And this is where we had to step back and say that because we cannot observe this; we were primarily motivated by the safety of observers among these 200 polling stations. Maybe one quarter or even more was in the municipalities, which were already becoming hotspots of the second peak of the first wave of the pandemic. And we just could not risk sending our observers

anymore. Turnout was also drastically lower. [CRTA]

- The respect of international standards and good practices (ODIHR, GRECO, Venice Commission, UN etc.) may be affected by the hasty amendment of the legislation or the practical changes in the electoral process. Therefore, it is necessary to monitor the process of adopting legal and procedural amendments. Moreover, this may prove a good moment to advocate for a consistent framework that should apply in case of crisis.

Septimius Pârvu is election expert
at



7 Semilunei, ap. 1
Bucharest

www.expertforum.ro

EFOR is part of FiecareVot coalition



Supported by a project funded by the Bureau of International Narcotics and Law Enforcement Affairs (INL), implemented by Expert Forum in partnership with CEELI Institute – Central and Eastern European Law Initiative and the International Foundation for Electoral Systems (IFES)



International Foundation
for Electoral Systems

CEELI INSTITUTE
PRAGUE
ADVANCING THE RULE OF LAW



and with the financial support from the Black Sea Trust for Regional Cooperation – A project of the German Marshall Fund. Opinions expressed in this material do not necessarily represent those of the Black Sea Trust, the German Marshall Fund, or its partners.

B | S | T The Black Sea Trust
for Regional Cooperation
A PROJECT OF THE GERMAN MARSHALL FUND