

Practical activities when conducting elections in the context of epidemics (the example of the COVID-19 pandemic)

In the modern world mankind faces many challenges, among which one of the global ones is the epidemiological situation in the world and the related pandemic, which has affected all spheres of human activity.

We firmly believe that the existence of such challenges should not become an obstacle for the functioning of democratic institutions and for the development and establishment of democratic processes. The fundamental among them are the forms of direct democracy, among which we should first of all mention periodic elections and referenda. We are sure that the existence of challenges like Covid-19 should not become an obstacle for the implementation of direct democracy.

But this necessitates new settlements for elections, referendums and other pandemic votes.

In the epidemiological situation, the most important issue in conducting mass events and voting, is the minimization of risks to the health of voters, members of precinct commissions and other participants in electoral processes.

Due to the declaration of a Covid-19 pandemic by WHO in 2020, a state of emergency was declared in the Republic of Armenia. Elections were held for the last time in March 2020. In June 2021, national elections to the RA National Assembly were held in Armenia.

The preparatory work was mainly carried out in two directions:

- 1) definition of legal regulations;**
- 2) practical area.**

1. The issue of legal regulation of organizing and conducting elections in epidemiological conditions has become a subject of discussion. Proceeding from the fact that the Ministry of Health is the authorized and specialized body in the sphere of epidemiology, it is our strong belief that its legal acts and regulations should be taken as a basis, and the CEC should ensure their implementation in relation to the electoral processes, from which it follows that during the preparation and holding of elections the health bodies and the electoral commissions should work in close cooperation. In Armenia exactly this approach has been developed, the rules of conduct in the conditions of Covid-19 are defined by the act of the Minister of Health, personal protection means, hygiene rules and the measures taken for the sanitary and epidemiological protection of the population in the conditions of pandemic, etc. Under such conditions, CEC ensures the observance of the rules of conduct in epidemiological conditions and the supply of appropriate materials (hygiene and personal protection means, etc.) to polling stations and informing the participants in electoral processes about the rules of conduct in epidemiological conditions.

Taking into account the challenges dictated by Covid-19, the Electoral Code was amended in 2021, according to which it is allowed to limit the number of observers and media representatives at polling stations, if in the whole territory of the country or in separate areas due to epidemic, it was decided to establish quarantine and for the protection and sanitary and epidemiological safety of population it was necessary to regulate the flow of people.

Taking into account the rules established by the Ministry of Health, the Central Electoral Commission provided for certain regulations that would be able to ensure the organization and conduct of the voting procedure in compliance with all the requirements of electoral legislation, without violating the sanitary and epidemiological rules under Covid-19. Thus, the CEC Decision determined that in order to determine the voter's identity by means of a photo in the identity document, the technician operating the technical device shall require the voter to remove the medical mask or other means of personal protection that make it impossible to identify the voter.

According to the same decree, if the voter refuses to comply with this requirement, the specialist does not insert his/her identification document into the technical device and warns the chairman of the commission, who removes the voter from the voting room.

2. On the practical side: first of all, it should be noted that there has been cooperation with the Ministry of Health throughout the process;

- personal protective equipment (medical masks in the number of voters at a given polling station), alcohols and disinfectants for surfaces, as well as special wipes for the scanner of the technical device were issued to precinct election commissions;

- adhesive tapes marking the distance of one and a half meters for marking the social distance in the voting room were provided to precinct election commissions;

- rules of conduct, the procedure for using personal protective equipment, as well as peculiarities of organizing voting in Covid-19 conditions became a separate part of training of members of precinct election commissions, as well as specialists maintaining technical devices;

- The Central Electoral Commission prepared a special social video about the rules of voting under Covid-19,

- In all the soap operas and other explanatory materials, a certain acceptance was placed directly or indirectly (all characters wore masks, social distance was observed everywhere), and in our practice we can say that this worked very well,

- there were explanatory posters in all polling stations,

- to the extent possible, entry and exit to the polling station were differentiated,

- During meetings with authorized representatives of parties, there were constant calls to pay special attention to epidemiological problems during the organization of mass events,

- additional protective equipment was provided to medical facilities in order to organize voting using a mobile ballot box.

Despite the many measures taken and the experience of other countries, it seems to us, however, that there are still problems that require new solutions.

In this sense, in our opinion, the holding of mass events during the pre-election campaign period needs to be regulated separately.

Given the lack of sufficient resources of election commissions, an effective mechanism for overseeing compliance with the rules should be defined by law.

The question remains open as to whether restrictions should be applied to those participants in the electoral process who do not comply with the established rules and often openly ignore them. In particular:

- how a voter or campaigner should be treated if they are not wearing masks for political or other reasons;

- whether it is possible to restrict a campaign event if participants do not wear personal protective equipment and the position in question is political in nature, and whether such restrictions would not be considered discriminatory against election contestants;

- whether a voter's right to vote can be restricted if he or she refuses to wear a mask, etc.

This list of questions is not exhaustive and could be continued.

In our opinion, in order to ensure protection and sanitary and epidemiological safety of the population, on the one hand, and the values of democracy, on the other hand, there is a need to develop international criteria and standards of legal regulation of issues of organization and conduct of elections in epidemiological conditions.