COVID-19 & ELECTIONS
Safeguarding Citizens’ Mandate in West Africa

This policy brief is informed by WACSI’s third Webinar under the COVID-19 series of West Africa Policy Dialogue Series (WAC-PDIS)
INTRODUCTION

In West Africa, 2020 is the year of highly anticipated elections, however, the outbreak of the COVID-19 pandemic poses enormous challenges for these elections and threatens to overturn other democratic ideals including frequent political dialogues, political party campaigns and manifesto interrogations vis-à-vis active citizen participation across the region. Globally, elections and electoral processes are often marked by high volume of human engagement and interactions, and a decision to hold elections during a crisis period (such as during the current pandemic) portends an obvious risk of accelerating rather than flattening the curve of the spread of the virus. The latter being the desired goal of many including individuals, business entities, governments and indeed, the World Health Organisation (WHO) and West African Health Organisation (WAHO) which led the process assiduously. Consequently, several countries including members of the Economic Community of West African States (ECOWAS) have had their elections or electoral events and related processes delayed or postponed due to the pandemic and to avert endangering citizens health, and ultimately lives. As of 31 July 2020, the International Foundation for Electoral Systems (IFES) recorded already a total of 109 election events that have been postponed in 64 countries and eight (8) territories due to COVID-19.1 Indeed, ECOWAS Network of Electoral Commissions (ECONEC) in its 15 April 2020 virtual meeting which included Heads of Electoral Management Bodies (EMBs) across the region discussed in details the feasibility of organising credible, free, fair and participatory elections considering the risks to the health of electoral officials, ad-hoc/fulltime electoral staff, electoral observers and monitors, media representatives and most importantly the electorates. The team recommended in its conclusion, postponement of impending elections based on verifiable and analysed scientific data and information of spread of the virus and its impact on elections timeframe.2

ELECTIONS WITHIN A PANDEMIC?

Though COVID-19 has shown no sign of slowing down in West Africa since its first recorded case in Nigeria on 28 February 2020, regrettably, Nigeria, Ghana and Cote d’Ivoire account for about 73 per cent of total 150,415 confirmed cases and 60 per cent of 2,293 total deaths in the region (as at 20 August)3, despite multi-stakeholder effort to mitigate its devastating impact on societies. Governments continues to follow WHO and WAHO guidelines, in addition to varying degrees of lockdowns, dawn to dusk curfews, border and school closures, restriction on movement, limited gathering, mandatory wearing of face masks, and social distancing—many of which were backed by newly introduced legislations. Regardless of the disturbing reality on the number of active cases, countries are gradually re-opening and easing restrictions, with businesses, public services and other critical and routine events returning to normal.

It is within this environment that many countries have had to grapple with the dilemma to—conduct elections and stand the risk to spread the virus or postpone elections and face legal challenges, legitimacy crisis, or accusations of authoritarianism. More importantly, is the question of how to safeguard citizens’ mandate and uphold key principles guiding democratic processes—including universal suffrage, equal opportunity for all, and inclusive elections—in the face of a global pandemic.

Ghana, Cote D’Ivoire, Niger, Guinea, Burkina Faso—have all scheduled general elections for the last quarter of 20204, while Liberia has parliamentary/legislative elections scheduled for December 20205. The insistence to go ahead with these elections despite the pandemic has raised fundamental concerns including viable threat to citizens lives, possible disenfranchisement of electorates based on location, voter apathy and “stolen mandates”, and obvious difficulties in observing WHO/WAHO preventive protocols, among others. Specifically, countries like Niger and Burkina Faso, have a situation best described as a “double agony”—a confluence of the pandemic and deteriorating security situation— that would compound prevailing electoral challenges.

Overall, elections amid the pandemic has numerous implications for inclusivity of the process and events, as well as the legitimacy of the outcomes. To safeguard citizens’ mandate and the integrity of the elections, it is crucial that citizens explore potential implications of the gangrening virus on elections and electorates, and election management processes; discuss strategies to ensure that key stakeholders including incumbents, opposition parties, elections management bodies, and other stakeholders maintain the sanctity of democratic election processes as universally recognised, while receiving requisite support from regional bodies such as ECOWAS to deliver credible, free, and fair polls that reflect the mandate of electorates.

In this bid, the West Africa Civil Society Institute (WACSI) held a third webinar under its special COVID-19 series on 22 July 2020, as part of its West African Policy Dialogue Series (WAC-PODIS). The webinar themed, “COVID-19 and Elections: Safeguarding Citizens’ Mandate in West Africa” was co-moderated by Ibrahima Niang (Country

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3 https://data.wahosts.org/outbreaks/#/
5 https://africacenter.org/spotlight/highlights-africa-2020-elections/
Officer, OSIWA-Guinea) and Omolara Balogun (Head, Policy Influencing and Advocacy, WACSI), and featured distinguished civil society leaders and electoral experts as panelists, including: Franklin Cudjoe, Founder & President, IMANI Africa; Traore Wodjo Finni, Human Rights Expert and Former Vice-President of the National Commission of Human Rights Commission (CNDHCO) of Cote d’Ivoire; Olufunto Akinduro, Senior Programme Officer, International Institute for Democracy and Electoral Assistance, IDEA; and Francis Gabriel Oke, Head, Election Division, ECOWAS Commission; and over 80 participants drawn from grassroots, local and national organisations, INGOs, think tanks and representatives of relevant ECOWAS agencies and directorates.

The panelists discussed forthcoming elections in West Africa, the implications for consolidating democracy during a pandemic, and strategies to safeguard citizens mandates. The webinar also provided the platform for civil society actors and stakeholders to assess the pre-election political climate in Ghana and Cote D’Ivoire specifically, including potential risks of fostering democratic elections during a global pandemic; strategies to protect citizens’ mandates and requisite role of ECOWAS in observation oversight.

COVID-19 AND IMPACTS ON DEMOCRATIC PROCESSES: A PEEK INTO 2020 ELECTIONS IN WEST AFRICA

Rising restrictive measures and closing civic space

With five (5) presidential elections due to hold in the last quarter of this year, there are growing fears that the raft of COVID-19 emergency measures adopted by West African governments to control the spread of the pandemic, and mitigate its impacts on society may be used by incumbent governments and allied agencies to perpetuate other agendas including using State’s security apparatuses for political benefits, social and political control, prohibiting rallies, tracking opponents and dissidents, cancelling elections or indefinitely postponing elections, etc., which may inevitably precipitate political crisis. Studies show that an average election is synonymous with one form of violence or the other⁶, and often usher in sensitive periods marked by varying degrees of restrictions and abnormalities such as monopolisation of states security apparatuses by incumbents, stifling of dissenting voices, oppression of opposition parties, civil society groups and clamping down on media freedom.

In Niger, for instance, the government suspended voter registration and other processes related to upcoming elections due to COVID-19. There is the likelihood that government would further control political activity to its advantage ahead of elections, if unchecked.⁷ These kinds of actions portend damaging impacts on the integrity of the election outcomes which could engender prolonged political crises and instability.

Political campaigns and civic organising

Political party campaigns and engagements with the electorates are a crucial aspect of democratic process. However, the advent of COVID-19 preventive protocols such as social distancing, partial and total lockdowns, restricted movements and controlled gatherings, border closures, etc., continue to have devastating impact on political activities despite being eased across major cities. Activities such as political party campaigns, candidates’ debate on socio-economic and development aspirations, among others seem impossible. With the pandemic not showing any signs of abating, civic organising and public engagement have been quietly relegated, which makes it harder for parties to interact with electorates less convincingly mobilise their support. Additionally, struggle for equal technology penetration between urban and rural communities across the region poses another level of constrains to willing political actors from engaging or interfacing with their primary constituencies on critical public policy issues—as the pandemic continues to dominate public policy agenda leaving upcoming elections to other matters.⁸

Further, the space for civic organising has also been heavily constrained since the outbreak of the pandemic, and that is likely to worsen during elections. In many parts of West Africa, governments are using COVID-19 laws to redefine freedoms – civil space, citizens’ rights to freedom of association and expression. Across the region, the media abound with state agencies particularly the police and military, which, emboldened by COVID-19 inspired laws, take actions well beyond the objectives of disease control, i.e., stifling dissent, clamping down on basic freedoms and activities of citizens, disallowing protests, etc. With elections that typically generate some tension across countries in the region, civic space and organising might suffer if not checked. The continuous violation of civic freedoms and rights under the pretext of COVID-19 does not only defeat the very purpose and spirit of the International Covenant on Civil and Political Rights (ICCPR) and the African Charter on Human and Peoples Rights (ACHPR) and the many international and human rights instruments that West African governments are signatories to, but is an affront to their respective constitutions.

**2020 WEST AFRICA ELECTION CALENDER**

<table>
<thead>
<tr>
<th>COUNTRY</th>
<th>ELECTION</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Benin</td>
<td>Local</td>
<td>Held 17 April 2020</td>
</tr>
<tr>
<td>Burkina Faso</td>
<td>Presidential and National Assembly</td>
<td>Due 22 November</td>
</tr>
<tr>
<td>Ghana</td>
<td>Presidential and National Assembly</td>
<td>Due 7 December 2020</td>
</tr>
<tr>
<td>Guinea</td>
<td>National Assembly and Referendum</td>
<td>Held 22 March 2020</td>
</tr>
<tr>
<td>President</td>
<td>Due 18 October 2020</td>
<td></td>
</tr>
<tr>
<td>Ivory Coast</td>
<td>President</td>
<td>31 October 2020</td>
</tr>
<tr>
<td>Mali</td>
<td>National assembly</td>
<td>Held 29 March 2020</td>
</tr>
<tr>
<td>Niger</td>
<td>Due 1 November 2020</td>
<td></td>
</tr>
<tr>
<td>Senegal</td>
<td>Local</td>
<td>Due Late 2020 (from December 2019)</td>
</tr>
<tr>
<td>Togo</td>
<td>President</td>
<td>Due 22 February 2020</td>
</tr>
</tbody>
</table>

Sources: Electoral Commission, Ghana; National Democratic Institute (NDI).

Voter apathy and under-participation

Lower voter turnout is a sign of an unhealthy democracy, and the prospects to hold elections during a pandemic will likely affect voter turnout across the five countries. Indeed, data on voter turnout in previous two (2) election across the five countries show a mixed result. Ghana and Cote d’Ivoire saw declines in voter turnout from the previous election (see table below), suggesting a possible voter apathy. Whereas in Burkina Faso, Guinea and Niger, voter turnout increased from the previous election. While commendable that voter turnout increased from the previous election in these countries, this may not remain so under elections amid COVID-19.

**Voters Turnout in 5 West African Countries**

<table>
<thead>
<tr>
<th>Country</th>
<th>Number of Registered Voters</th>
<th>Total Number of Votes Cast</th>
<th>% Voter Turn-out</th>
<th>Number of Registered Voters</th>
<th>Total Number of Votes Cast</th>
<th>% Voter Turn-out</th>
</tr>
</thead>
<tbody>
<tr>
<td>Benin</td>
<td>1,425,158</td>
<td>1,098,981</td>
<td>80.1</td>
<td>10,913,107</td>
<td>69.25</td>
<td></td>
</tr>
<tr>
<td>Burkina Faso</td>
<td>3,924,328</td>
<td>2,459,528</td>
<td>54.5</td>
<td>5,517,015</td>
<td>60</td>
<td></td>
</tr>
<tr>
<td>Ghana</td>
<td>6,740,493</td>
<td>3,475,748</td>
<td>51.57</td>
<td>5,065,456</td>
<td>66.82</td>
<td></td>
</tr>
<tr>
<td>Guinea</td>
<td>3,778,177</td>
<td>1,949,392</td>
<td>51.60</td>
<td>6,042,634</td>
<td>68.36</td>
<td></td>
</tr>
<tr>
<td>Cote d’Ivoire</td>
<td>5,784,490</td>
<td>4,843,445</td>
<td>83.93</td>
<td>3,309,988</td>
<td>54.63</td>
<td></td>
</tr>
</tbody>
</table>

Sources: Electoral Commission, Ghana; African Elections Tripod; Commission Électorale Nationale Indépendante (CENI) Burkina Faso; Commission Electorale Indépendante de Côte d’Ivoire (CEI CI).

It is envisaged that many voters will stay away from polls this time for fear of contracting the virus. Although, Ghana, Mali, and Benin recently conducted legislative and sub-national level elections amid COVID-19, political mobilization and party campaigns, and ultimately voter turnout suffered a massive loss. In Benin, particularly, voter turnout was less than 10 percent in oppositions’ strongholds, with parties allied to President Patrice Talon benefitting from the depressed outcome, and scoring a crushing majority in the municipal elections.

Further, the impact of COVID-19 on voters’ registration process and turnouts cannot be underestimated. The realities of COVID-19 containment measures particularly, the continuous practice of social distancing presents deeper, unavoidable logistical hurdles to the traditional registration and voting process (in-person registration and voting) which many electorates are familiar with. Niger, recently suspended its voters’ registration exercise due to fears of exposing electorates and officials to the pandemic, while Ghana and Cote d’Ivoire, have had to adjust timelines for similar exercise more than twice. Regardless, the actual exercises did not eliminate lapses in the observance of preventive protocols during the voter registration in former. In fact, the exercise was further compounded

by the adoption of biometric registration systems which requires in-person only registration with election officials and prohibits any remote voter registration.

**Domestic and international observation of elections**

International observers play an important role in safeguarding the integrity of elections. While election observation exercise is carried out across many countries, it is particularly recommended in developing democracies to observe and verify elections processes and outcomes impartially while ensuring each election upholds minimum international standards of freeness and fairness. However, the outbreak of the pandemic and curtailing measures specifically border closures and quarantining of international travelers (where allowed) automatically stalled international observation missions. Recently, the African Union and other international observer missions to the last Burundian Presidential elections were either refused entrance or subjected to stringent mandatory 14 day quarantine—thus constraining the observers mission.

With West African borders still closed to commercial flights, the possibility of international observers gaining access to upcoming elections remain uncertain, thus throwing the credibility of these elections for a worthy debate. Thus, strengthening the capacity of local observer teams who provide holistic oversight to all levels of elections including in pre-election processes such as voter registration and education of electorates, monitoring of Election Day operations and compliance of election management bodies, media and political parties, as well as the transmission of results becomes crucial. However, domestic observers are often woefully underfunded. For example, Ghana’s domestic observer group Coalition of Domestic Election Observers (CODEO) during the just ended voter registration, was only able to deploy 100 observers to 100 polling stations out of the 31,851 polling stations nationwide. Clearly, their inability to deploy enough observers or expand number of its observers nationwide was because of resources constraint.

**Rising cost of elections**

The rising cost of elections and governance is a challenge that many countries have had to deal with in recent decades, and developing countries are not left out. In multiparty democracies specifically, the growing need to recruit election administrators to handle growing numbers of electorates adds up to personnel and administrative costs. Further, the expansion of voter education, media campaigns, additional security, special election dispute mechanisms and adoption of technology, to mention a few undoubtedly add hundreds of millions to the election budget. Crisis like the COVID-19 pandemic even makes it more expensive for countries to run cost-effective elections considering additional prevention inspired expenses—safety measures in line with WHO and WAHO guidelines across all levels of electoral processes. While introducing special voting arrangements such as early voting where polling stations are open for several days to avoid the possibility of overcrowding, postal voting, or online voting may be too late to introduce in most countries due to proximity to election dates, the associated cost of logistics, training of officials and educating voters on such arrangement come at an extra cost that many countries cannot afford.

**Disruption to civil society strengthening and active participation in electoral processes**

The outbreak of COVID-19 has also weakened civil society interventions around elections strengthening— which include among others engendering elections process, civic education, observation and monitoring of electoral processes, election and post-election violence prevention, media coverage and monitoring of elections, youth education and awareness creation, advocacy on good governance etc. Many civil society organisations are unable to publicly engage citizens on important electoral processes such as voter registration, voting methods and general civic education due to current health protocols. With many organisations struggling with limited access to technology and digital infrastructure, their ability to contribute effectively to strengthening citizens engagement in electoral processes, political dialogue, manifesto cross examination among others remain severely jeopardised in the absence of face-to-face opportunity.

**Legitimacy of elected officials**

COVID-19 has forced countries like Burkina Faso, Cote d’Ivoire, Niger, Ghana and Guinea to repeatedly delay or postpone important electoral processes – including voter registration, training of staff, local commissioners, and electoral agents, civic education, because of the pandemic. In a region where the legitimacy of voters register is often disputed, these procedural delays could compound situation and generate unsettling questions on the numbers of registered voters, as well as the legitimacy of the elected officials.
POLICY RECOMMENDATIONS

As countries finalise their plans to go ahead with elections amidst the pandemic, the following recommendations are worth considering by governments, EMBs, civil society, and ECOWAS;

Governments should:

• Reiterate commitment to free and fair elections: Free and fair elections are the hallmark of multiparty democracy. Government must commit to creating a conducive environment for citizens to be able to exercise their mandates freely and fairly, and as well support the civic education necessary for a healthy democracy. The commitment of incumbent government to free and fair elections would also mean avoiding actions that unduly restrict all forms of political engagements, deny access to information, violate human rights, or inhibit freedom of association and assembly pre, during, and post-election periods.

• Promote free press and media independence: Free and fair elections cannot be possible without a free/vibrant press and independent media. Guaranteeing a free press/media will ensure all parties and candidates are able to freely communicate their development plans and manifestos to voters to enable the latter make informed decisions during elections.

• Protect civil and political rights during and after the election: Governments must desist from taking advantage of the health emergency posed by COVID-19 to assume far-reaching and arbitrary powers that curtail the rights and freedoms of citizens, including engaging in any form of social and political control, clamp down on dissenting voices, prohibition of rallies, among other civil and political rights.

• Provide additional funding for national electoral processes: Across the globe, the cost of holding elections is becoming unaffordable and unsustainable given other spending priorities. Countries in West Africa require huge financial investment to satisfy basic electoral activities. For instance, Ghana expended about $150 million on the recently concluded voters registration process. Under COVID-19 pandemic, it is expected that cost of elections will even go higher, thus, it is imperative for EMBs to be adequately resourced to cater for other unusual expenditures introduced by the pandemic—including provision of necessary COVID-19 preventive measures and logistics for EMBs, election officials, voters, observers among others.

• Invest in establishing credible civil registers: Government should through the National Identification Authority and National Population Council invest in the development and continuous update of national citizens’ database. Countries with existing credible citizens database, can easily leverage the information to update or generate new voters’ register during emergency situation such as COVID-19. This will also prevent citizens’ susceptibility to contracting the virus in physical voters registration exercises, as well as save cost.

EMBs should:

• Develop a clear voter identification and acquisition process: Voter identity acquisition is a right, and should not be tied to specific period of time (especially prior election) for mass registration. EMBs should ensure effective voter education, information sharing and sensitisation initiatives that will ensure that vulnerable groups including the Internally Displaced Persons (IDPs), the Aged, among others are not disenfranchised.

• Exercise statutory powers with discretion: While EMBs have constitutionally mandated discretionary powers, the use of these powers must be prudent and not derail from sound public policy perspective.

• Engage in peer-to-peer learning: EMBs should facilitate and frequently engage in peer-to-peer learning. For example, countries planning to hold elections should learn from others such as Benin, Mali, and Guinea which have conducted one form of elections amid the pandemic to avoid possible democratic setbacks such as lower voters turnout; electoral violence, or even an unprecedented spike in infection rate among electorates.

• Practice Inclusivity: EMBs should foster the inclusion of vulnerable people in the organisation and overall management of the elections by putting in place adequate provisions including isolation spaces for—COVID-19 positive electorates or those manifesting symptoms, pregnant women or women with children, people living with disability (PWDs). Most importantly, the commission must establish special arrangement for such groups to exercise their voting rights while protecting others from the pandemic.
• **Consider Special Voting:** To mitigate the effects of the pandemic on elections, EMBs should consider the possibility of special voting arrangements such as remote or digital voting, postal voting, and the extension of voting period over several days. While the feasibility of online and postal voting for the upcoming West African elections are questioned given limited time and logistical challenges of introducing electoral reform, it would be worth the consideration of EMBs as they plan for future elections.

• **Invest in Credible Voters Register:** Work towards the credibility of the voters’ register at first instance. Time lost in the pre-election process makes it difficult to rectify the inadequacies of the voter register before elections due to limited time, and thereby possibly disenfranchising others.

• **Mandatory Public Education and Sensitisation:** Clearly outline both public safety measures at all polling centres and communicate changes to registration and voting methods to citizens ahead of the polls.

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**Civil Society should:**

• **Advance its ‘watchdog’ role:** The role of civil society as watchdog of the electoral process, highlighting any anomalies that may have implications for the integrity of the elections, as well as monitoring election related violence is crucial for free and fair elections. During emergencies such as the current pandemic, civil society needs to find innovative ways to mobilise the needed resources – financial and human – to monitor elections and to educate electorates on processes.

• **Raise awareness on citizen advocacy:** Advocate for the strengthening of citizen monitoring of the elections and electoral processes. The role of citizen observers must be strengthened to enable proper and effective observation of elections. With COVID-19 posing a challenge for the international observer missions due to travel restrictions associated with responses to the pandemic, the need to support local observer missions to carry out their mandate is of utmost importance.

• **Advocate for special voting:** With the likelihood that upcoming elections would be conducted amid COVID-19, it is pertinent that the polls do not in any way jeopardise the lives of citizens. Advocating for special voting arrangements that considers all safety measures amid the pandemic is therefore crucial to assure citizens’ mandates while safeguarding lives.

• **Educate Citizens on COVID-19:** Civil society should deepen responsibility and design strategies to educate citizens on COVID-19, its impacts and preventive procedures; as well as work to combat public disinformation and misinformation on COVID-19 pandemic and public health.

• **Promote and facilitate inter-party dialogues:** Civil Society should put in place structures and platforms to promote inter-party dialogues and build citizens’ trust in the electoral processes;

• **Reinforce issue-based politics:** Civil society should capitalize on the opportunity presented by the pandemic to refocus on issue-based politics now that politicians do not have the opportunity to move around to engage in physical campaigns that may facilitate vote buying.

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**ECOWAS should:**

• **Invest in strengthening Electoral Commission:** ECOWAS should intensify its effort in strengthening electoral commissions of member states and promote the protection of electorates throughout the electoral cycle, while facilitating peaceful and mediation dialogues between and among political actors.

• **Reconsider observer mission strategy:** ECOWAS should rethink strategy for election observer missions during the pandemic by working closely and collaboratively with local observer groups, civil society, international and diplomatic community on the ground (in-country), as well as deploying and utilising technology for remote observation where external observers cannot be deployed as a result of COVID-19 travel restrictions.

• **Provide resources to support domestic election observation:** ECOWAS should consider supporting domestic observer groups with requisite resources (cash, human, technical and material) to advance their roles and scale up impact before, during and post elections. Domestic civil society monitoring or observer groups are often underfunded, thus struggle to—provide adequate training and basic logistics and materials for observers, and usually unable to deploy nationwide. Support from ECOWAS would help domestic observer missions to recruit more observers, train and expand coverage nationwide.
CONCLUSION

COVID-19 certainly represents a significant threat to the world, requiring that society innovates, learns, and adapts to mitigate the impacts of the pandemic and forge a sustainable, resilient, and prosperous future. The challenges noted from elections already held during the COVID-19, distressed electoral processes, and uncertainties surrounding impending elections has forced countries to make radical decisions around the conduct of elections during the pandemic. These decisions have significant impacts on the health of citizens and democracy now and in the future. It is therefore crucial that all stakeholders work collaboratively in managing the risks and sharing lessons while acting in ways that safeguard democratic principles and citizens’ mandate.

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Some of the resources earmarked for international observer mission may be rechannelled to support domestic observer missions to scale up impact.

- **Ensure context-driven electoral support to Member States:** ECOWAS should study each country on a case-by-case basis and provide requisite strategic support for members to hold free, fair, credible, and safe elections.

- **Issue guidelines for organising elections in a pandemic situation:** In consultation with health experts, civil society, and relevant stakeholders across the region, ECOWAS should issue guidelines that would ensure that elections conducted during the pandemic do not exacerbate the spread of the virus, as well as not hinder the ability of citizens to fully exercise their franchise.

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