



EU-CITZEN: ACADEMIC NETWORK ON EUROPEAN CITIZENSHIP RIGHTS

The Benefits and Drawbacks of Remote Voting

A New Vision

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Version	v.5
Delivery date	8 July 2021
Total number of pages	55



This publication has been produced with the financial support of the European Union. The contents of this publication are the sole responsibility of the author(s) and the EU-CITZEN Network and can in no way be taken to reflect the views of the European Commission.



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This is a working document of the EU-wide study of remote voting for use in the post-COVID-19 world. It builds on the [Study on the Benefits and Drawbacks of Remote Voting](#), European Commission, 2018, DOI: 10.2838/677948.

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1. Introduction

The 2018 “Study on the Benefits and Drawbacks of Remote Voting” analysed the variety of remote voting methods currently in use by the Member States of the European Union (EU). This follow-up report outlines and examines changes to the election laws of the EU Member States since 2018. We narrow the focus primarily to the 2019 elections to the European Parliament and the challenges posed to electoral processes by the COVID-19 pandemic. This report, therefore, does not seek to replicate the information set out in the 2018 study, but rather to highlight any legislative developments and discuss the potential and pitfalls of remote voting in a new context.

The objectives of this study are as follows: i) to map changes to remote voting legislation and procedures in the EU Member States; ii) to untangle those categories of voters who had access to remote voting methods in the 2019 European Parliament elections and in national/regional elections since the outbreak of the COVID-19 pandemic; iii) to discuss the options implemented, and under consideration, to ensure safe remote voting in elections during the ongoing COVID-19 pandemic; and iv) to recommend areas for improvement on the basis of the recent findings.

The report is divided into five sections. The first section briefly outlines the main findings of the 2018 “Study on the Benefits and Drawback of Remote Voting” and the emerging challenges to electoral systems since the spread of the Sars-Cov-2 virus. The second section presents the changes to Member State legislation since 2017. The third section focuses on the 2019 European Parliament elections and explores the existing possibilities for different categories of voters to access remote voting methods. The fourth section provides: (i) an overview of the remote voting methods available in national and regional elections in the Member States since March 2020; (ii) considerations for Member States in cases where voters were stranded abroad as a cause of coronavirus-related restrictions; and (iii) a discussion of the options Member States have legislated or are considering for vulnerable voters (those with disabilities, in hospitals or care homes or healthcare workers working across borders). The final section offers conclusions and recommendations. While public perception of the use and limits



of remote voting is an essential aspect of their adoption and implementation, this is beyond the scope of the current report.¹

2. Study on the Benefits and Drawbacks of Remote Voting (2018)

The 2018 report, “Study on the Benefits and Drawbacks of Remote Voting”, examined the state of remote voting practices in use in the various Member States of the European Union. The report starts from the premise that participation in elections (across all levels) has declined over the last 25 years, and there are discrepancies in voter turnout between the Member States. The report, commissioned by DG JUST following the conclusion of the Commission’s 2015 report on the 2014 European Parliament elections, was designed to examine and remedy the causes of low voter turnout in some Member States.² Facilitation of remote voting varies considerably between Member States. The implication of this for European Parliamentary elections is that since electoral processes are still primarily governed by national laws, this creates disparities in exercising the right to vote. Different voters, depending on their place of residency and citizenship, will not be guaranteed the same options. The report broadly focuses on the barriers faced by different groups of citizens, the various types of remote voting solutions in EU Member States and their potential advantages and disadvantages. By examining the intersection of electoral processes, technical solutions and attitudes towards the range of voting practices – the 2018 report attempted to “understand this diversity and how it affects turnout”.³

Remote voting is defined by the report as “those mechanisms that allow electors to vote by means other than by casting their ballot in person at the standard polling station assigned to their district of residence, either if they are abroad or within the country. It comprises both

¹ A good example of a study looking at attitudes towards enfranchising immigrants and emigrants is E. Michel and J. Blatter, “Enfranchising immigrants and/or emigrants? Attitudes towards voting rights expansion among sedentary nationals in Europe,” *Ethnic and Racial Studies*, 2020. The survey was conducted in 26 European countries and finds that, in the majority of these countries, there is support for enfranchising emigrants. However, there is no majority support for enfranchising immigrants in any of the surveyed countries. Contestations of external voting rights for non-resident nationals is particularly acute in countries where it has made an impact on election outcomes, such as in Croatia and Hungary.

² For example, voter turnout was lowest in Slovakia for the 2014 vote at 13.1%, Czech Republic at 18.2%, Poland at 23.8%, and Slovenia at 24.5%. European Commission 2015.

³ F. Lupianez-Villanueva and A. Devaux. “Study on the Benefits and Drawbacks of remote voting.” (2018). European Commission, p.4. https://ec.europa.eu/info/policies/justice-and-fundamental-rights/eu-citizenship/electoral-rights/studies/study-benefits-and-drawbacks-remote-voting_en.



electronic voting and non-electronic voting mechanisms”.⁴ The report is divided into five substantive sections.⁵ The first provides an overview of remote voting provisions at different levels (EU, supranational and within EU countries) and for specific groups who may have difficulty with in-person voting on election day. The second section outlines the various options for non-electronic remote voting (postal, proxy, in person abroad, special polling stations, mobile polling stations and voting in another district) along with their implementation and discusses benefits, drawbacks, outcomes and future plans for each option.⁶ The third section examines electronic voting – focusing on the current drivers and barriers as well as trials currently underway in EU Member States.⁷ The fourth section analyses three case studies on remote voting in Germany, Italy and Poland – participants in each country were assigned to one of three scenarios: ‘current scenario’, ‘electronic voting’ and ‘postal voting’. Participants were then asked how likely they were to vote in European elections given different circumstantial situations (for example, temporary physical impairment or temporarily abroad). The objective of the online survey was to measure public opinion around the use of internet voting and other remote voting options. The final section focuses on questions of implementation through 15 thematic case studies on the remote voting process.⁸

Questions of remote voting are inextricably linked to the debate over *who is* or *should be* a member of the political community and, as such, the unique political culture of each Member State. The report finds that the options for remote voting offered are linked to the voting traditions in the Member State, rather than on a formal assessment of the needs of the voting population.⁹ Therefore, findings are context sensitive, as remote voting availability and mechanisms vary greatly between the Member States. The electoral system, voting

⁴ F. Lupianez-Villanueva and A. Devaux. “Study on the Benefits and Drawbacks of remote voting.” (2018). European Commission, p.4. https://ec.europa.eu/info/policies/justice-and-fundamental-rights/eu-citizenship/electoral-rights/studies/study-benefits-and-drawbacks-remote-voting_en.

⁵ A note on methodology, the report uses “mixed methods and data triangulation”. It consists of a literature review, a review of national-level laws, main policy debates, and future plans with the support of country representatives, interviews with stakeholders, and an online panel survey of three Member States: Germany, Italy, and Poland.

⁶ Options covered by the report: postal vote, voting by proxy, voting in person abroad, voting at special polling stations within the country, voting at mobile polling stations, and voting in another district.

⁷ While there have been trials in several Member States, Estonia is the only country to have successfully implemented electronic voting.

⁸ The 15 case studies were divided into three umbrella groups: i) Administration of the remote voting process; ii) participation by specific groups; and, iii) electronic voting experiences.

⁹ F. Lupianez-Villanueva and A. Devaux. “Study on the Benefits and Drawbacks of remote voting.” (2018). European Commission, p. 221. https://ec.europa.eu/info/policies/justice-and-fundamental-rights/eu-citizenship/electoral-rights/studies/study-benefits-and-drawbacks-remote-voting_en.



administration, demographic factors and solution design all affect the practice and success of remote voting within the respective country. The study finds that while remote voting enhances accessibility of electoral participation to those groups that would otherwise find it challenging to exercise their right to vote (for example, those living in remote areas or abroad, those with a health condition or those who cannot travel or leave their residence on election day). However, the impact on participation (turnout) and costs is not as clear cut. The report observes that “the diversity across and within Member States implies that it is difficult to dissociate the context from the outcomes of remote voting in terms of take up and participation.”¹⁰ Consequently, outcomes will depend on the design and implementation of the voting options; in other words, the needs of specific voters should align with proposed solutions. While improving accessibility is an important benefit of remote voting, there are several drawbacks. These surfaced in the national debates of Member States, for example issues over electoral legitimacy, institutional trust, additional complexity and administrative processes as well as increased costs.¹¹

2.1. The Pandemic and Challenges Posed to Elections

On 11 March 2020, the World Health Organization declared the spread of the Sars-Cov-2 virus to be a pandemic, bringing many aspects of social and political life to a halt. The pandemic has posed a new set of challenges to democratic processes.¹² First, governments must balance the democratic imperative to hold elections against health and safety concerns, by deciding whether or not to postpone the scheduled election calendar. The Institute for Democracy and Electoral Assistance (IDEA) highlights at least three potential impacts of postponing an election during an emergency: i) voters will experience a loss of voice if elections are postponed or maintained without proper safety measures; ii) it could lead to claims of political opportunism by candidates who could stand to benefit from suppressed voter turnout; and iii) there may be an impact on political debate, by providing advantages to one candidate over

¹⁰ F. Lupianez-Villanueva and A. Devaux. “Study on the Benefits and Drawbacks of remote voting.” (2018). European Commission, p. 223. https://ec.europa.eu/info/policies/justice-and-fundamental-rights/eu-citizenship/electoral-rights/studies/study-benefits-and-drawbacks-remote-voting_en.

¹¹ F. Lupianez-Villanueva and A. Devaux. “Study on the Benefits and Drawbacks of remote voting.” (2018). European Commission, p. 223. https://ec.europa.eu/info/policies/justice-and-fundamental-rights/eu-citizenship/electoral-rights/studies/study-benefits-and-drawbacks-remote-voting_en.

¹² “Impact of the pandemic on elections around the world.” European Parliament Briefing. July 2020. [https://www.europarl.europa.eu/RegData/etudes/BRIE/2020/652017/EPRS_BRI\(2020\)652017_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2020/652017/EPRS_BRI(2020)652017_EN.pdf).



another.¹³ Second, the pandemic poses major challenges to campaigning, an essential ritual of democratic elections. Campaigning allows candidates and parties to disseminate information to voters. With social distancing measures in place, limitations to participation at rallies such as bans to large public gatherings, this may not be possible, risking further reinforcing existing asymmetries in access to information or media.¹⁴ Third, the pandemic could create operational difficulties in ensuring adequate safety measures are in place and providing voters with up-to-date information. Therefore, in order to hold democratic elections, governments need to make adjustments to planning and procedures.¹⁵ Such adjustments entail political and financial costs, particularly in those countries that lack the infrastructure for advanced or remote voting options. Other health and safety measures also need to be considered, such as guaranteeing social distancing and hygiene at polling stations. Taken together, these challenges could depress voter turnout and compound electoral injustice.

Vulnerable groups are disproportionately likely to have their voting rights compromised during an emergency.¹⁶ Representation is already an obstacle for many vulnerable categories of voters; this can be exacerbated by poor election planning during the pandemic.¹⁷ An inclusive democratic electoral process in emergency situations would entail creating an environment where the greatest number of people can vote at the lowest risk. There are substantial health risks to both voters and poll workers in holding in-person voting. Therefore, one possibility to mitigate these risks is to expand the use of special voting arrangements.¹⁸ Advance and remote voting allows voters to cast their ballot ahead of election day and can reduce the number of people at polling stations. However, this can result in trade-offs, such as compromising on the secrecy of the ballot, observability of polling and the

¹³ “Elections and COVID-19.” International IDEA Technical Paper. January 2020. <https://www.idea.int/sites/default/files/publications/elections-and-covid-19.pdf>, p.3.

¹⁴ “Elections and COVID-19: How election campaigns took place in 2020.” *IDEA News*. 2 February 2021. <https://www.idea.int/news-media/news/elections-and-covid-19-how-election-campaigns-took-place-2020>.

¹⁵ “Managing Elections in the Context of COVID-19: Perspectives from the Commonwealth.” Commonwealth elections and COVID-19 Briefing Paper. Issue 1 2020, p.5. <https://thecommonwealth.org/sites/default/files/inline/Elections%20and%20C19%20Perspectives%20from%20CW%20FN.pdf>.

¹⁶ “How to ensure people with disabilities are included in political life during COVID-19.” *IDEA News*. 14 July 2020. <https://www.ifes.org/news/how-ensure-people-disabilities-are-included-political-life-during-covid-19>.

¹⁷ “Managing Elections in the Context of COVID-19: Perspectives from the Commonwealth.” Commonwealth elections and COVID-19 Briefing Paper. Issue 1 2020, p. 14. <https://thecommonwealth.org/sites/default/files/inline/Elections%20and%20C19%20Perspectives%20from%20CW%20FN.pdf>.

¹⁸ “Special Voting Arrangements in Europe: Postal, Early and Mobile Voting.” IDEA Webinar Series Report (2020), p. 6. <https://www.idea.int/sites/default/files/publications/special-voting-arrangements-in-europe.pdf>.



stability of electoral law.¹⁹ Even in times of pandemic, solutions will depend on the individual State and its unique political culture, in line with conclusions of the 2018 Remote Voting study.



































3. Remote Voting: changes to Member State legislation and voting procedures since 2017

This section outlines the changes to Member State legislation on remote voting since the 2018 Report. The report distinguishes between two types of remote voting for regional, national and European elections, namely within country of residence; and voting from abroad. Table 1 presents the remote voting options available within the country of residence. We identify seven options for remote voting: postal, proxy, at special polling stations, mobile polling stations, voting in another district, internet voting and advance voting.²⁰

¹⁹ “Special Voting Arrangements in Europe: Postal, Early and Mobile Voting.” IDEA Webinar Series Report (2020), p. 9. <https://www.idea.int/sites/default/files/publications/special-voting-arrangements-in-europe.pdf>.

²⁰ In some Member States, the distinction between ‘special polling stations’ and ‘mobile polling stations’ is not fully clear. Therefore, we interpret ‘special polling stations’ as those that set up for election day in one place, whereas ‘mobile polling stations’ are those that move between voters, collecting ballots over the course of the day.

Table 1: Remote voting within the country of residence

	 Postal	 Proxy	 At special polling stations	 Mobile polling stations	 In another district	 Internet	 Advance voting
Austria 	•		•	•	•		
Belgium 		•					
Bulgaria 			•	•	•		
Croatia 			•	•	•		
Cyprus 							
Czech Rep. 				•	•		
Denmark 	•		•	•	•		
Estonia 				•	•	•	•
Finland 			•	•	•		•
France 		•					
Germany 	•		•				•
Greece 			•		•		
Hungary 	•			•	•		
Ireland 	•			•			
Italy 			•	•	•		
Latvia 				•	•		•
Lithuania 	•		•	•	•		•
Luxembourg 	•						
Malta 			•				•
Netherlands 	•	•	•		•		•
Poland 	•	•	•		•		
Portugal 			•	•			•
Romania 				•	•		
Slovakia 			•	•	•		
Slovenia 	•			•	•		•
Spain 	•						
Sweden* 		•	•	•	•		•



Postal voting

Postal voting entails distributing ballot papers to electors and accepting their return, by mail. Eleven Member States allow remote postal voting from within the country.²¹ Since the 2018 study, there have been changes in Denmark, Lithuania and the Netherlands for this remote voting method. In Denmark, it is possible to vote by post; however, this must be done in advance of election day and is therefore more comparable to advance voting procedures in other Member States.²² This voting method is used primarily by those who are ill, elderly or incarcerated.²³ Postal voting can take place up to three weeks in advance at any Citizen Service Centre in Denmark for parliamentary elections and up to six weeks for European Parliamentary elections before the election day until three days beforehand. In Lithuania and the Netherlands, postal voting is possible for European Parliament elections for some categories of voters (see the following section for more detail). For the March 2021 national elections in the Netherlands, voters over 70 were allowed to vote by post for the first time, in order to limit crowds at polling stations as part of the Temporary Elections Act.²⁴ The pro-animal party (PvdD) requested the Court of the Hague to make postal voting be available to all categories of voters. The PvdD maintained that selective application of postal voting discriminated against those young people who might be vulnerable to illness. However, this proposal was rejected by the judge.²⁵

Proxy voting

Proxy voting is a voting method by which a person (the principal) selects an individual to vote on their behalf (the proxy). Five Member States allow proxy voting for domestic residents.²⁶ Which voters are eligible to vote by proxy, and the process by which a proxy is registered,

²¹ Austria, Denmark, Germany, Hungary, Ireland, Lithuania, Luxembourg, Netherlands, Poland, Slovenia and Spain.

²² “The Parliamentary Electoral System in Denmark.” Folketinget, p. 24. https://www.thedanishparliament.dk/-/media/pdf/publikationer/english/the-parliamentary-system-of-denmark_2011.ashx; And for European Parliament elections: “How to Vote in Denmark.” European Elections 2019. <https://www.european-elections.eu/how-to-vote/denmark>.

²³ “Denmark.” Inter-Parliamentary Union. http://archive.ipu.org/parline-e/reports/arc/DENMARK_1979_E.PDF.

²⁴ “Minister changes postal voting rules after envelop mix-ups.” *Dutch News.nl*. 16 March 2021. <https://www.dutchnews.nl/news/2021/03/minister-changes-postal-voting-rules-after-envelop-mix-ups/>.

²⁵ Case number C-09-606858-KG ZA 21-104. Court of the Hague. 19 February 2021. <https://uitspraken.rechtspraak.nl/inziendocument?id=ECLI:NL:RBDHA:2021:1305&showbutton=true>

²⁶ Belgium, France, Netherlands, Poland and Sweden.



differs between each Member State. In Belgium, Poland and Sweden, voters wishing to cast their ballot via proxy must have a specific reason for doing so, such as illness, disability or being in custody.²⁷ In France and the Netherlands, proxy voting is open to all eligible voters.²⁸ To date, there have been no changes to proxy voting eligibility and procedures since the publication of the 2018 study.

Special polling stations

Special polling stations are those that are set up in places such as military bases, healthcare facilities or in prisons. Fifteen Member States allow residents to vote in special polling stations.²⁹ Since the completion of the 2018 study, there have been changes in terms of implementing or expanding the numbers of special polling stations in Portugal and Slovakia. In Portugal, special polling stations were set up in care homes and health centres on election day for the local elections in January 2021.³⁰ In Slovakia, special polling stations have been set up for people on ships. In line with regulations, there must be the national flag and emblem of the Slovak Republic, a ballot box and a special list of voters.³¹

Mobile polling stations

Mobile polling stations are ballot boxes that are brought to the voter to allow them to cast their vote. Eighteen Member States allow voters to vote using mobile polling stations.³² We have observed changes in Italy, Latvia and Lithuania since the 2018 study. Italy has introduced

²⁷ F. Lupianez-Villanueva and A. Devaux. “Study on the Benefits and Drawbacks of remote voting.” (2018). European Commission, p. 57. https://ec.europa.eu/info/policies/justice-and-fundamental-rights/eu-citizenship/electoral-rights/studies/study-benefits-and-drawbacks-remote-voting_en.

²⁸ F. Lupianez-Villanueva and A. Devaux. “Study on the Benefits and Drawbacks of remote voting.” (2018). European Commission, p. 57. https://ec.europa.eu/info/policies/justice-and-fundamental-rights/eu-citizenship/electoral-rights/studies/study-benefits-and-drawbacks-remote-voting_en.

²⁹ Austria, Bulgaria, Croatia, Denmark, Finland, Germany, Greece, Italy, Lithuania, Malta, Netherlands, Poland, Portugal, Slovakia and Sweden.

³⁰ “Polling booths go to voters in Portugal’s pandemic election.” *APNews*. 19 January 2021. <https://apnews.com/article/pandemics-portugal-elections-coronavirus-pandemic-lisbon-f26edbd8b2c40edcdba5da9a9b9d70c3>.

³¹ Section 22(7) Law on the Conditions for the Exercise of the Right to Vote and on the Amendment of Certain Laws. <https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/180/>.

³² Austria, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Finland, Hungary, Ireland, Italy, Latvia, Lithuania, Netherlands, Portugal, Romania, Slovakia, Slovenia and Sweden.



mobile voting arrangements for voters who are housebound.³³ Those wishing to vote from home must present a medical certificate at least 15 days prior to election day. Similarly, in Latvia, Art. 24(1) of the Electoral Code states that “if any voter is unable to come to the polling station for health reasons, then on the basis of a written request filed by the voter...the polling station commission shall conduct voting by secret ballot at the place where the voter is located.”³⁴ In Lithuania, voters with a disability, impaired mobility and those aged over 70 can vote at home after filing a request to their local polling station.³⁵

In another district

Voting in another district entails casting a ballot within the country’s territory, but not in the municipality or district where the person is registered as an elector. Eighteen Member States permit voting in another district.³⁶ Only Italy has changed its legislation on this aspect since the 2018 study. Voting in another district is now possible for persons with disabilities, should it be easier for them to access a polling station outside their district of residence.³⁷ Furthermore, local authorities can provide transport for those with limited mobility.³⁸

Electronic voting

Electronic voting as a remote voting option is still only available in Estonia. There have been no changes to this type of remote voting since the 2018 study.

³³ Law 27 January 2006 n. 22. [https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:2006-01-27:22!vig=;](https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:2006-01-27:22!vig=) “The Italian Republic: Parliamentary Elections.” Office for Democratic Institutions and Human Rights. 4 March 2018, p. 7. https://www.osce.org/files/f/documents/9/5/383589_1.pdf.

³⁴ Article 24(1). The Saeima Election Law. <https://www.saeima.lv/en/about-saeima/saeimas-velesanas-1/saeimas-velesanu-likums-1>.

³⁵ “Information for Voters.” The Central Electoral Commission of the Republic of Lithuania. <https://www.vrk.lt/en/informacija-rinkejui-2020-sei>.

³⁶ Austria, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Finland, Greece, Hungary, Italy, Latvia, Lithuania, Netherlands, Poland, Romania, Slovakia, Slovenia and Sweden.

³⁷ “Real Rights of Persons with Disabilities to Vote in European Parliament Elections.” European Economic and Social Committee Information Report (2019), p. 18. <https://www.eesc.europa.eu/sites/default/files/files/qe-02-19-153-en-n.pdf>.

³⁸ “Real Rights of Persons with Disabilities to Vote in European Parliament Elections.” European Economic and Social Committee Information Report (2019), p. 19. <https://www.eesc.europa.eu/sites/default/files/files/qe-02-19-153-en-n.pdf>.



Advance voting

Advance voting refers to the opportunity to cast a vote ahead of the date(s) when regular polling stations in the country are open and outside these polling stations. Ten Member States have established advance voting procedures.³⁹ The number of days in advance that advanced votes may be cast, as well as the registration procedures, varies between Member States and for the different types of elections. In Estonia, all voters have the possibility of voting prior to election day.⁴⁰ Election week starts on Monday and includes six days of advance voting.⁴¹ For the last Riigikogu elections in 2019, 21.5 per cent of voters cast their vote in advance.⁴² In Finland, it is possible to vote in advance in all elections for a set period.⁴³ Voting in advance begins on the Wednesday eleven days before election day and continues until five days before election day.⁴⁴ Advance voting occurs in municipal offices and post offices. German elections are traditionally held on Sundays, thus ensuring that most voters have time to cast their votes. However, there is the opportunity to vote in advance by post.⁴⁵ In Latvia, advance voting is open at any polling station three days prior to election day for European Parliament elections.⁴⁶ Lithuania offers advance voting to all eligible voters on the last Wednesday and Thursday prior to election day.⁴⁷ In Malta, advance voting is only possible for eligible voters who will not be in the country on election day.⁴⁸ In the latest elections in the Netherlands, voting occurred over three days (15 - 17 March 2021) to help limit the number of people at polling stations.⁴⁹ In Portugal, advance voting is reserved for specific cases such as those in hospital, care institutions or incarcerated.⁵⁰ In these cases, mobile polling stations are taken to the voter's

³⁹ Estonia, Finland, Germany, Latvia, Lithuania, Malta, Netherlands, Portugal, Slovenia and Sweden.

⁴⁰ "The right to vote." Eesti.ee. 28 December 2020. <https://www.eesti.ee/en/citizenship-and-documents/citizenship/the-right-to-vote/>.

⁴¹ "Advance voting in electoral district of residence." Valimised. <https://www.valimised.ee/en/estonian-elections-nutshell/advance-voting/advance-voting-electoral-district-residence>.

⁴² "21.5% of voters have voted during the advance polling of the Riigikogu elections." Valimised, 25 February 2019. <https://www.valimised.ee/en/215-voters-have-voted-during-advance-polling-riigikogu-elections>.

⁴³ "Elections and voting in Finland." Information about Finland, 23 April 2021. <https://www.infofinland.fi/en/information-about-finland/finnish-society/elections-in-finland>.

⁴⁴ "Voting in Advance." VAALITVAL. <https://vaalit.fi/en/voting-in-advance>.

⁴⁵ "Voting in Germany: Who can take part in elections?" HandbookGermany. <https://handbookgermany.de/en/rights-laws/elections.html>.

⁴⁶ "How to Vote in Latvia." European Elections 2019. <https://www.european-elections.eu/how-to-vote/latvia>.

⁴⁷ "Information for Voters." The Central Electoral Commission of the Republic of Lithuania. <https://www.vrk.lt/en/informacija-rinkejui-2020-sei>.

⁴⁸ Chapter 354, General Elections Act. 27 September 1991. https://www.um.edu.mt/_data/assets/pdf_file/0004/207319/gen-elec-act.pdf.

⁴⁹ "Early voting will be allowed, but opinion polls won't be banned." *DutchNews.nl*, 2 November 2020. <https://www.dutchnews.nl/news/2020/11/early-voting-will-be-allowed-but-opinion-polls-wont-be-banned/>.

⁵⁰ "Voting Portugal." Government of Portugal. <https://eportugal.gov.pt/en/cidadaos/votar>.



location. For Slovenian elections, there is an advance voting window of a maximum of five days and a minimum of two days before the election – no special arrangements are required and advance voting is open to all voters.⁵¹ In Sweden, advance voting begins 18 days prior to election day and ends on election day itself; it is open to all voters.⁵²

⁵¹ “Republic of Slovenia: Early Elections of the National Assembly.” Office for Democratic Institutions and Human Rights. 7 February 2012. <https://www.osce.org/files/f/documents/6/b/87786.pdf>.

⁵² “How to vote.” The Electoral Authority/Valmyndigheten. [https://www.val.se/download/18.5af422c516299cedac1fb5/1538729830824/Att%20r%C3%B6sta%20\(engelska\).pdf](https://www.val.se/download/18.5af422c516299cedac1fb5/1538729830824/Att%20r%C3%B6sta%20(engelska).pdf).



Table 2. Remote voting from abroad

					Type of election
	Postal	Proxy	In-person	Electronic voting	
Austria 	•				National/EP
Belgium 	•	•	•		National/EP
Bulgaria 			•		National
Croatia 			•		National/EP
Cyprus 			•		Restricted
Czech Rep 			•		National
Denmark 	•		•		Restricted
Estonia 	•		•	•	National/EP
Finland 	•		•		National/EP
France 		•	•	•	National/EP
Germany 	•				National/EP
Greece 			•		EP
Hungary 	•		•		National/EP
Ireland 	•				Restricted
Italy 	•				National/EP
Latvia 	•		•		National/EP
Lithuania 	•		•		National/EP
Luxemburg 	•				National/EP
Malta 					N/A
Netherlands 	•	•			National/EP
Poland 	•		•		National/EP
Portugal 	•		•		National/EP
Romania 	•		•		National/EP
Slovakia 	•				National
Slovenia 	•		•		National/EP
Spain 	•		•		Regional/National/EP
*Sweden 	•		•		National/EP

(*) Voting by messenger merged with postal voting in the case of Sweden (see more details in Navarro Fierro, Morales & Gratschew, 2007, p. 27).



In some Member States, voting from abroad is only available for certain elections (see Table 2). For example, in Bulgaria, Cyprus, Hungary, Lithuania, Luxembourg, Romania and Slovenia, voting from abroad is not possible for local elections. Meanwhile, Belgium, Croatia, Germany, Italy, the Netherlands and Poland do not permit voting from abroad in regional and local elections. In the Czech Republic, voting from abroad is not possible for European, upper house, regional and local elections. In Greece, voting from abroad is only possible for European elections. In Estonia, voting by post or in person from abroad is not possible for local elections. In Portugal, voting in person from abroad is only available for European, legislative and presidential elections. In Spain, voting in person from abroad is not available for local elections. In Hungary, Portugal, Romania and Slovakia, postal voting from abroad is available only for national parliamentary elections. In Ireland, postal voting from abroad is only available for selected groups (e.g. diplomatic personnel) and only for certain elections.

Postal voting

Twenty Member States allow for citizens who are abroad to vote by post.⁵³ Since the 2018 study, legislative amendments have taken place in Denmark, Finland, Lithuania and Poland in order to expand or restrict postal voting for eligible voters abroad. For Denmark, voters abroad on election day can vote via post at a Danish embassy or consulate.⁵⁴ For the vote to be counted, there must be sufficient time from when the ballot is returned to allow it to reach the former municipality of residence.⁵⁵ As of 2019, Finish citizens, either permanently living abroad or staying temporarily abroad, can vote by post. In order to do so, citizens must request a ‘voting pack’ from the Ministry of Justice.⁵⁶ Voters can then send in their ballots once the candidates’ numbers have been released.⁵⁷ Since the 2018 study, Lithuania has restricted postal voting for citizens abroad; voters can no longer vote remotely by postal ballot if they are out of country on election day.⁵⁸ However, due to the COVID-19 pandemic, there was an amendment to the

⁵³ Austria, Belgium, Denmark, Estonia, Finland, Germany, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden.

⁵⁴ Folketing (Parliamentary Elections Act (Consolidated Act No. 369 of 10 April 2014).

⁵⁵ Ibid.

⁵⁶ ‘Finland to finally allow postal voting in 2019 elections.’ *Yle* 7 September 2018. https://yle.fi/uutiset/osasto/news/finland_to_finally_allow_postal_voting_in_2019_elections/10392481

⁵⁷ Ibid.

⁵⁸ “Information for Voters.” The Central Electoral Commission of the Republic of Lithuania. <https://www.vrk.lt/en/informacija-rinkejui-2020-sei>.



Parliamentary Election Law in June 2020 that provided for postal voting for citizens abroad. This was only organised for the Embassy to Israel and the General Consulates to Los Angeles, New York, San Paolo and Geneva.⁵⁹ For the 2020 Polish Presidential elections, voters abroad were able use postal voting. The government reported that nearly 480 000 ballot packs had been sent to Polish voters living abroad.⁶⁰

Since the COVID-19 pandemic, additional Member States have been considering expanding remote voting options for their citizens abroad, particularly in view of guaranteeing a safe voting environment. For example, in Bulgaria, President Rumen Radev stated that Bulgarians abroad should have access to postal voting in addition to voting in person at embassies.⁶¹ However, the ruling party, GERB, and coalition party, United Patriots opposed the proposal, primarily out of fear of fraudulent ballots and logistics.⁶²

Proxy voting

Three Member States allow citizens abroad to vote by proxy.⁶³ There have been no changes to proxy voting eligibility and methods since the 2018 report.

In-person (abroad)

Voting in person abroad entails casting a ballot outside the country's territorial borders. Nineteen Member States allow voters to vote in person from abroad.⁶⁴ Voting typically occurs at embassies or consular missions. One noteworthy change since 2018 is that Greece has created an online platform to register Greeks citizens living abroad, allowing them to vote in their place of residence for the next election.⁶⁵ Voting from abroad will be available for all

⁵⁹ "Republic of Lithuania." Office for Democratic Institutions and Human Rights. 8 February 2021. <https://www.osce.org/files/f/documents/e/a/477730.pdf>.

⁶⁰ "All Postal Ballot Packs Sent out to Voters." Ministry of Foreign Affairs Poland – News. 6 July 2020. <https://www.gov.pl/web/diplomacy/all-postal-ballot-packs-sent-out-to-voters>.

⁶¹ "You've Got Mail: Bulgaria's Big Parties Balk at Call for Postal Voting." *Balkan Insight*. 9 February 2021. <https://balkaninsight.com/2021/02/09/youve-got-mail-bulgarias-big-parties-balk-at-call-for-postal-voting/>.

⁶² Ibid.

⁶³ Belgium, France and the Netherlands.

⁶⁴ Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Greece, Hungary, Latvia, Lithuania, Poland, Portugal, Romania, Slovenia, Spain and Sweden.

⁶⁵ Law 4648/9; "Greeks abroad closer to voting back home." *Diaspora Elections*. 25 February 2021. <https://www.ekathimerini.com/society/diaspora/1155770/greeks-abroad-closer-to-voting-back-home/>.



eligible voters who can prove that they have lived (continuously) in Greece for two years within the last 35 years. Voting will take place at in-person polling stations set up by the Greek Interior Ministry.

Electronic voting

Electronic voting (e-voting) uses electronic means and internet-based technology for the casting and counting of votes. Since the 2018 report, France has made e-voting possible for legislative and consular elections (French voters living abroad). In January 2020, a new internet voting platform was approved for consular elections by the Ministry for Europe and Foreign Affairs.⁶⁶ E-votes can be cast via a computer, tablet or smartphone and for five consecutive days from the Friday to the Wednesday before election day.⁶⁷

At the time of the 2018 study, trials of electronic voting had occurred in Portugal (1997, 2005), Spain (2003) and Finland (2008). There were proposed trials in Bulgaria, Sweden, Denmark, Lithuania and Latvia. To date, there has been no further implementation of electronic voting in any of these countries. In Lithuania, the government has approved electronic voting for future elections; however, this could not be implemented in time for the 2020 general elections.

4. Remote Voting: The 2019 European Parliamentary elections

The ninth direct EP election was held EU-wide during 23-26 May 2019. European citizens elected 751 Members of the European Parliament (EP), representing 28 Member States. Following the UK's departure from the European Union, the number of MEPs was reduced to 705, but the ratio of seats per Member State has remained the same as for the 2014 EP elections. In the 2019 EP elections, a total of 50.66 per cent of electors cast their votes, representing a substantial increase compared to 2014. Belgium recorded the highest turnout at 88.47 per

⁶⁶ “French citizens abroad – Approval of electronic voting for consular elections (15 January 2020). France Diplomacy. <https://www.diplomatie.gouv.fr/en/the-ministry-and-its-network/news/2020/article/french-citizens-abroad-approval-of-electronic-voting-for-consular-elections-15>.

⁶⁷ “Vote par internet.” France Diplomatie, Ministère de L’Europe et des Affaires Étrangères. <https://www.diplomatie.gouv.fr/fr/services-aux-francais/voter-a-l-etranger/modalites-de-vote/vote-par-internet/>.



cent, while the lowest turnout was in Slovakia at 22.74 per cent.⁶⁸ There are no disaggregated statistics on turnout for remote voters per country, voting method and category of electors.

On the regulation of elections for the EP, several relevant legislative acts apply.⁶⁹ The 1976 Electoral Act sets out the common rules for EP elections. On 13 July 2018, amendments to the 1976 Electoral Act (Council Decision 994/2018) asked for changes to the governance of EP elections that the Member States *must* implement, as well as recommendations that they *may* wish to implement. Compulsory measures to adopt include a threshold for the allocation of seats of between 2 percent and 5 percent for Member States with constituencies over 35 seats; a three-week deadline for candidate nomination; appropriate sanctions for instances of double voting; creating a contact authority for the exchange of data on voters and candidates; and requiring Member States to exchange data no later than six weeks before elections. The recommended measures that Member States may wish to implement are a threshold for the allocation of seats not exceeding 5 percent; designing ballot papers to show the names and logos of European political parties; providing the possibility for advance voting, postal voting and electronic voting and the possibility to vote from countries outside the EU.⁷⁰ Not all Member States (Romania and Czech Republic) were able to ratify the decision in time for the 2019 election and some Member States (Croatia, Cyprus, Estonia, Germany, and Spain) have not yet ratified it.⁷¹ Even so, in the cases of non-ratification, most of the countries have already complied with the majority of the mandatory measures.⁷²

Each Member State provides different provisions for remote voting measures for the various categories of voters. Table 3 (below) provides a summary by Member State of different voting methods per category of remote voters in the 2019 EP elections. A total of eight remote voting methods were applied for the types of electors in the Member States:

- Postal vote

⁶⁸ “2019 European Election Results.” European Parliament in collaboration with Kantar. <https://www.europarl.europa.eu/election-results-2019/en/turnout/>.

⁶⁹ EP Elections Directive (Directive 93/103/EC) and the Municipal Elections Directive (Directive 94/80/EC)

⁷⁰ “At a glance: Infographic: 2019 European elections”. European Parliament (2019). [https://www.europarl.europa.eu/RegData/etudes/ATAG/2018/623556/EPRS_ATA\(2018\)623556_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/ATAG/2018/623556/EPRS_ATA(2018)623556_EN.pdf).

⁷¹ “Europeanising the elections of the European Parliament: Outlook on the implementation of Council Decision 2018/994 and harmonisation of national rules on European elections.” European Parliament. Policy Department for Citizens’ Rights and Constitutional Affairs Directorate-General for Internal Policies 694.199 (2021).

⁷² Cyprus, Estonia and Germany are yet to implement the data exchange requirement. Germany and Spain have not implemented the 2-5% threshold for greater than 35 percent seat constituencies. Spain has not implemented the measures on prohibiting double voting. *Ibid.* p. 42.



- Proxy vote
- Voting in person (abroad)
- Voting at special polling stations within the country
- Voting at mobile polling stations
- Voting in another district
- Electronic voting
- Advance voting













These remote voting methods were applied to the following categories of EU citizens:



- Military personnel
- Personnel on ships
- Individuals with no fixed abode
- Travelling communities
- Expatriates and external voters
- Persons with disabilities
- Persons in hospital care or care homes
- Prisoners









In this section, we highlight where there have been specific changes to EP elections rules, as well as the differences in practices between Member States.⁷³ The least-commonly used remote voting method was electronic voting (which applied only in Estonia). Advance voting has been used in Finland, Portugal and Sweden for all categories of voters, and in Slovenia for military personnel, ship crews, homeless persons, travelling communities and expatriates. As elaborated below, postal voting and voting in person abroad have been the most-frequently used voting methods in the 2019 EP elections.













⁷³ A full picture of the electoral frameworks can be found in the 2018 Study on Remote Voting.

Table 3. Member State Special Voting Options by Category of Voter












									
		Postal	Proxy	In person	Special polling stations	Mobile polling stations	In another district	Internet	Advance voting
Austria 	military	✓					✓		
	ships	✓					✓		
	no fixed abode	✓					✓		
	travelling communities	✓					✓		
	expatriates/external voters	✓		✓			✓		
	people with disabilities	✓			✓	✓	✓		
	hospital care/care homes	✓				✓	✓		
	prisoners*	✓				✓	✓		
Belgium 	military		✓	✓					
	ships		✓	✓					
	no fixed abode		✓	✓					
	travelling communities	✓	✓	✓					
	expatriates/external voters	✓	✓	✓					
	people with disabilities*		✓						
	hospital care/care homes		✓						
	prisoners*		✓						
Bulgaria 	military						✓		
	ships					✓	✓		
	no fixed abode						✓		
	travelling communities			✓			✓		
	expatriates/external voters			✓			✓		
	people with disabilities*					✓	✓		
	hospital care/care homes				✓		✓		
	prisoners				✓		✓		
Croatia 	military			✓			✓		
	ships						✓		
	no fixed abode						✓		
	travelling communities			✓			✓		
	expatriates/external voters			✓			✓		
	people with disabilities					✓	✓		
	hospital care/care homes				✓		✓		
	prisoners				✓		✓		












		 Postal	 Proxy	 In person	 Special polling stations	 Mobile polling stations	 In another district	 Internet	 Advance voting
Cyprus 	military								
	ships								
	no fixed abode								
	travelling communities			✓					
	expatriates/external voters			✓					
	people with disabilities								
	hospital care/care homes								
prisoners									
Czech Republic 	military						✓		
	ships						✓		
	no fixed abode						✓		
	travelling communities						✓		
	expatriates/external voters						✓		
	people with disabilities					✓	✓		
	hospital care/care homes					✓	✓		
prisoners				✓	✓	✓			
Denmark 	military	✓					✓		
	ships	✓			✓		✓		
	no fixed abode	✓					✓		
	travelling communities	✓		✓			✓		
	expatriates/external voters	✓*		✓			✓		
	people with disabilities	✓*				✓	✓		
	hospital care/care homes	✓				✓	✓		
prisoners	✓				✓	✓			
Estonia 	military							✓	✓
	ships				✓			✓	✓
	no fixed abode							✓	✓
	travelling communities			✓				✓	✓
	expatriates/external voters			✓				✓	✓
	people with disabilities					✓		✓	✓
	hospital care/care homes					✓		✓	✓
prisoners					✓			✓	

		 Postal	 Proxy	 In person	 Special polling stations	 Mobile polling stations	 In another district	 Internet	 Advance voting
Finland 	military						✓		✓
	ships						✓		✓
	no fixed abode						✓		✓
	travelling communities	✓		✓			✓		✓
	expatriates/external voters	✓		✓			✓		✓
	people with disabilities					✓	✓		✓
	hospital care/care homes				✓		✓		✓
	prisoners				✓		✓		✓
France 	military		✓						
	ships		✓						
	no fixed abode		✓						
	travelling communities		✓						
	expatriates/external voters		✓						
	people with disabilities		✓*						
	hospital care/care homes		✓						
	prisoners		✓*						
Germany 	military	✓							
	ships	✓							
	no fixed abode								
	travelling communities	✓							
	expatriates/external voters	✓							
	people with disabilities	✓	✓						
	hospital care/care homes	✓			✓				
	prisoners*	✓			✓				
Greece 	military				✓		✓		
	ships				✓		✓		
	no fixed abode						✓		
	travelling communities			✓			✓		
	expatriates/external voters			✓*			✓		
	people with disabilities*						✓		
	hospital care/care homes						✓		
	prisoners*				✓		✓		

									
		Postal	Proxy	In person	Special polling stations	Mobile polling stations	In another district	Internet	Advance voting
Hungary 	military			✓			✓		
	ships						✓		
	no fixed abode						✓		
	travelling communities			✓			✓		
	expatriates/external voters	✓					✓		
	people with disabilities*					✓	✓		
	hospital care/care homes					✓	✓		
	prisoners**					✓	✓		
Ireland 	military	✓							
	ships	✓							
	no fixed abode								
	travelling communities								
	expatriates/external voters								
	people with disabilities	✓				✓			
	hospital care/care homes	✓				✓			
	prisoners	✓							
Italy 	military	✓							
	ships								
	no fixed abode								
	travelling communities			✓					
	expatriates/external voters	✓		✓					
	people with disabilities					✓			
	hospital care/care homes				✓				
	prisoners*				✓				
Latvia 	military	✓		✓			✓		✓
	ships	✓					✓		✓
	no fixed abode	✓					✓		✓
	travelling communities	✓					✓		✓
	expatriates/external voters	✓		✓			✓		✓
	people with disabilities*	✓				✓	✓		✓
	hospital care/care homes	✓				✓	✓		✓
	prisoners						✓		✓

									
		Postal	Proxy	In person	Special polling stations	Mobile polling stations	In another district	Internet	Advance voting
Lithuania 	military	✓			✓		✓		✓
	ships	✓					✓		✓
	no fixed abode	✓					✓		✓
	travelling communities	✓		✓			✓		✓
	expatriates/external voters	✓		✓			✓		✓
	people with disabilities*	✓					✓		✓
	hospital care/care homes	✓				✓		✓	✓
	prisoners	✓				✓		✓	✓
Luxembourg 	military	✓							
	ships	✓							
	no fixed abode	✓							
	travelling communities	✓							
	expatriates/external voters	✓							
	people with disabilities*	✓							
	hospital care/care homes	✓							
	prisoners*	✓							
Malta 	military								
	ships								
	no fixed abode								
	travelling communities								
	expatriates/external voters								
	people with disabilities								
	hospital care/care homes					✓			
prisoners									
Netherlands 	military		✓				✓		
	ships		✓				✓		
	no fixed abode	✓	✓						
	travelling communities	✓	✓				✓		
	expatriates/external voters	✓	✓	✓			✓		
	people with disabilities		✓				✓		
	hospital care/care homes		✓			✓	✓		
	prisoners*						✓		

		 Postal	 Proxy	 In person	 Special polling stations	 Mobile polling stations	 In another district	 Internet	 Advance voting
Poland 	military								
	ships								
	no fixed abode						✓		
	travelling communities			✓			✓		
	expatriates/external voters			✓					
	people with disabilities*	✓	✓				✓		
	hospital care/care homes		✓		✓		✓		
	prisoners*				✓				
Portugal 	military								✓
	ships								✓
	no fixed abode								✓
	travelling communities								✓
	expatriates/external voters			✓					✓
	people with disabilities*								✓
	hospital care/care homes					✓			✓
	prisoners*					✓			
Romania 	military						✓		
	ships						✓		
	no fixed abode						✓		
	travelling communities			✓			✓		
	expatriates/external voters			✓			✓		
	people with disabilities*					✓	✓		
	hospital care/care homes					✓	✓		
	prisoners*					✓	✓		
Slovakia 	military						✓		
	ships						✓		
	no fixed abode						✓		
	travelling communities						✓		
	expatriates/external voters						✓		
	people with disabilities*					✓	✓		
	hospital care/care homes					✓	✓		
	prisoners*					✓	✓		

									
		Postal	Proxy	In person	Special polling stations	Mobile polling stations	In another district	Internet	Advance voting
Slovenia 	military								✓
	ships								✓
	no fixed abode								✓
	travelling communities	✓		✓			✓		✓
	expatriates/external voters	✓		✓			✓		✓
	people with disabilities*	✓				✓			✓
	hospital care/care homes	✓							✓
	prisoners	✓							✓
Spain 	military	✓							
	ships	✓							
	no fixed abode	✓							
	travelling communities	✓							
	expatriates/external voters	✓							
	people with disabilities*	✓							
	hospital care/care homes	✓							
	prisoners								
Sweden 	military						✓		✓
	ships						✓		✓
	no fixed abode						✓		✓
	travelling communities	✓		✓			✓		✓
	expatriates/external voters	✓		✓			✓		✓
	people with disabilities					✓	✓		✓
	hospital care/care homes				✓	✓	✓		✓
	prisoners				✓	✓	✓		✓
*can be disenfranchised; **excluded from the right to vote									



4.1. Postal voting

A total of 16 Member States allow for postal voting in EP elections.⁷⁴ However, the categories of voters eligible to vote by mail and the process to register vary considerably. Austria, Denmark, Germany, Latvia, Luxembourg and Spain provide postal voting options for all categories of voters. In order to retain the right to vote in European Parliamentary elections in their former municipality, Austrians residing abroad must request their registration in the *Wählerevidenz*. Postal voting in Denmark occurs at a Citizen Service Centre in Denmark from six weeks to three days prior to election day.⁷⁵ In Germany, voters do not need to provide any justification to exercise their vote by post. They must first apply to the municipality of their main residence for a polling card, although this can be difficult for voters with no fixed abode.⁷⁶ The municipal authority will issue a polling card and ballot documents to the registered or temporary address. Alternatively, voters may pick up the postal ballot in person.⁷⁷ In Latvia, in order to vote by mail, voters must send a signed application to the electoral authority (either in person, by post or electronically).⁷⁸ Since 2018, all voters in Luxembourg have been able to request to vote by mail.⁷⁹ The request can be submitted online or by letter.⁸⁰ As well as the voter's personal information, the request must include a declaration that they are not deprived of the right to vote. Spain's Organic Law 5/1985 allows voters who do not expect to be in their municipality on voting day to cast their vote via post by making a request to the Provincial Delegation of the Electoral List Office. Those in the Spanish Navy, merchant marines or fishing fleet can also vote via post (as can members of the Spanish Army and security forces abroad). Spanish citizens temporarily abroad can use postal voting in European Parliament elections.

⁷⁴ Austria, Belgium, Denmark, Finland, Germany, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Slovenia, Spain, Sweden.

⁷⁵ "How to Vote in Denmark." European Elections 2019. <https://www.european-elections.eu/how-to-vote/denmark>.

⁷⁶ 'Postal Ballot', The Federal Returning Officer. <https://www.bundeswahlleiter.de/en/bundestagswahlen/2017/informationen-waehler/briefwahl.html#28e13e15-2903-4826-bb27-ab9c5c01888a>.

⁷⁷ Section 28 of the Federal Electoral Regulations (BWO).

⁷⁸ "Voting from Abroad." Republic of Latvia. <https://www.cvk.lv/en/elections/ep-elections/elections-to-the-european-parliament-2019/voting-from-abroad>.

⁷⁹ "Demander à voter par correspondance aux élections européennes." Le Gouvernement du Grand-Duché de Luxembourg. *Guichet.lu*. <https://guichet.public.lu/fr/citoyens/citoyennete/elections/elections-europeennes/vote-correspondance-elections-europeennes.html>.

⁸⁰ "How to vote in Luxembourg." European Elections 2019. <https://www.european-elections.eu/how-to-vote/luxembourg?otherEUcountry=y>.



Ireland, Lithuania, Poland and Slovenia restrict postal voting to certain categories of voters – such as people with a disability or those in care homes.⁸¹ In Ireland, postal voting is generally prohibited; however, there are exceptions for several groups of voters including: members of the Defence Forces, Garda Síochána (national police service), diplomats, those with a physical illness or disability, students studying abroad, people who are incarcerated or those living in care homes.⁸² In Poland, only voters with a certificate of disability are eligible to vote via post.⁸³ The request to vote by mail must be submitted to the electoral commissioner 15 days prior to the election.⁸⁴ In Lithuania and Slovenia, postal voting is also restricted to those who cannot vote in person (health, military, penal, disability and elderly are all included as relevant exceptions).⁸⁵

Belgium, Estonia, Finland, Hungary, Italy, Luxembourg, Netherlands and Sweden only allow postal voting for expatriates or temporarily absent citizens. Estonian voters who are abroad at the time of election must send an application to the Estonian foreign mission in the country where they are habitual residents.⁸⁶ In Finland, postal voting is available for voters who either do not have a municipality residence or who are abroad on Election Day.⁸⁷ Italian voters only have access to postal voting if they are non-residents and only for EP elections.⁸⁸ Hungarian voters with no Hungarian address can submit a request to vote by post 15 days before election day.⁸⁹ The change allowing Hungarian citizens to vote in EP elections was ratified in December 2018 after the EU Council Decision 2018/994.⁹⁰ Since then, several opposition parties have proposed that postal voting be expanded to all categories of voters.⁹¹ On 22 April 2021, opposition Members of Parliament stated that they plan to put forth an

⁸¹ See Prof. Dr. H. Schneider and S. Sivonen, Type A Study - Political Participation of Persons with Disabilities (2021).

⁸² Electoral Act 1950, Number 43, 8A – (1).

⁸³ However, postal voting has expanded in the 2020 Presidential elections. It is not yet clear if this will apply to the next EP elections.

⁸⁴ “How to vote in Poland.” European Elections 2019. <https://www.european-elections.eu/how-to-vote/poland>.

⁸⁵ Article 67, Republic of Lithuania Law on Elections to the European Parliament, 20 November 2003

⁸⁶ Section 50, Electoral Code, <https://www.riigiteataja.ee/en/eli/ee/506052016002/consolide>.

⁸⁷ Amendment of election legislation 939/2017 allowed postal voting for non-resident Finnish citizens or voters abroad during elections. “European Parliament elections,” Statistics Finland. https://www.stat.fi/til/euvvaa/2019/euvvaa_2019_2019-07-12_laa_001_en.html.

⁸⁸ “How to vote in Italy.” European Elections 2019. <https://www.european-elections.eu/how-to-vote/italy>.

⁸⁹ Section 266, Act XXXVI of 2013 on Election Procedure.

⁹⁰ See Type B Report – Political Participation of Mobile EU Citizens – Insights from pilot studies on Austria, Belgium, Bulgaria, Germany, Greece, Hungary, Ireland and Poland (2021).

⁹¹ See Type B Report – Political Participation of Mobile EU Citizens – Insights from pilot studies on Austria, Belgium, Bulgaria, Germany, Greece, Hungary, Ireland and Poland (2021).



amendment to the electoral law to expand the use of postal voting.⁹² For the Netherlands, citizens residing abroad or temporarily absent can vote by post. A request to vote via post must be filed with the mayor of the Hague (for expatriates) or with their own municipality (temporary absences).⁹³ In Sweden, voters who are abroad may cast their vote via post – however, the ballot paper cannot be posted from within Sweden.⁹⁴

4.2. Proxy voting

Five Member States allow for voters to delegate another person to vote on their behalf (i.e. proxy voting).⁹⁵ Belgium, France and the Netherlands allow this method for all categories of voters. The procedures for delegating a proxy voter vary between Member States. To vote via proxy in Belgium, the relevant forms must be submitted to the municipal administration. The voter must demonstrate legitimate reasons as to why they are unable to reach a polling station on election day. Reasons include being temporarily abroad, studies, religious grounds, incarceration, vocational circumstances or illness.⁹⁶ In France, all citizens, both inside France and those living abroad, can vote by proxy.⁹⁷ They must first present themselves in person to an authority who is eligible to validate a proxy vote (for example, a court or a consulate) and fill out a form requiring them to specify why they cannot vote in person, who they wish to delegate as their representative, and the timeframe for which the proxy is valid (up to 3 years). The representative must be registered in the same district as the applicant. In the Netherlands, a written request to vote via proxy must be filed with the municipal mayor five days prior to the election, identifying the person who will act as a proxy. The proxy voter must also cast their vote at the same time, and cannot act as a proxy for more than one person at once.⁹⁸ In Germany and Poland, proxy voting only applies to voters with a disability or those who are in care homes. On 18 June 2019, following the last EP elections, Germany amended its legislation on the ability to vote by proxy; for future EP elections, voters will no longer be able to vote by

⁹² See Type B Report – Political Participation of Mobile EU Citizens – Insights from pilot studies on Austria, Belgium, Bulgaria, Germany, Greece, Hungary, Ireland and Poland (2021).

⁹³ Chapter M, “Voting by Post”, Elections Act.

⁹⁴ Section 11, The Elections Act (2005:837)

⁹⁵ Belgium, France, Germany, Netherlands and Poland.

⁹⁶ Article 30 of the Law of 23 March 1989 juncto Article 147 bis of the Electoral Code.

⁹⁷ ‘Le vote par procuration’, Ministère de l’intérieur, <https://www.interieur.gouv.fr/fr/Elections/Comment-voter/Le-vote-par-procuration>.

⁹⁸ Chapter L, ‘Voting by Proxy’, Elections Act.



proxy in Germany.⁹⁹ In Poland, the proxy voter must be registered at the same municipality as the voter and granted the power of attorney to vote on their behalf. Any application must take place at least nine days prior to the election.¹⁰⁰

4.3. Voting in person abroad

Article 1(1) of the EP Elections Directive states that all Member States can decide on the enfranchisement of non-resident nationals. Some 19 Member States allow their expatriates and/or travelling citizens to vote at consular offices or embassies for EP elections when abroad.¹⁰¹ However, there are conditions in some cases. In Sweden, for example, this only applies where the expatriate was previously a resident, and the status must be renewed every ten years.¹⁰² In Cyprus, the citizen must fulfil the legal requirement for electoral registration – six months of habitual residence – in order to be placed on a registration list.¹⁰³ In practice, therefore, Cypriot nationals residing permanently abroad (and not in another Member State) are ineligible. Belgian nationals who wish to vote for candidates on a Belgian list must complete an application form with the consulate in the State in which they reside.¹⁰⁴ The voter will be eligible to vote four months after filing the application form. In Bulgaria, polling stations outside EU Member States are set up at an embassy or consulate. However, the voter must have lived in Bulgaria or another Member State three months prior to the election.¹⁰⁵ Greek nationals living in another Member State can vote for Greek representatives at the embassy or consulate in their country of residence.¹⁰⁶ However, they must register themselves

⁹⁹ Bundesrecht (buzer.de), Artikel 3 – Gesetz zur Änderung des Bundeswahlgesetzes und anderer Gesetze, 18 June 2019, <https://www.buzer.de/gesetz/13456/a223983.htm>.

¹⁰⁰ “How to vote in Poland.” European Elections 2019. <https://www.european-elections.eu/how-to-vote/poland?otherEUCountry=y>.

¹⁰¹ Austria, Belgium, Bulgaria, Croatia, Cyprus, Denmark, Estonia, Finland, Greece, Hungary, Italy, Latvia, Lithuania, Netherlands, Poland, Portugal, Romania, Slovenia and Sweden.

¹⁰² “Analysis of voter turnout in the 2019 European Parliament election.” Statistical news from Statistics Sweden 26 June 2020, SCB, <https://www.scb.se/en/finding-statistics/statistics-by-subject-area/democracy/general-elections/european-parliament-elections-participation-survey/pong/statistical-news/electoral-participation-in-the-election-to-the-european-parliament-2019-/>.

¹⁰³ Article 5 Election of Members of Parliament Act of 1979 as amended by Act 3(I)/2003 (L. 72/1979)

¹⁰⁴ Loi du 23 Mars 1989 Relative a L’election du Parlement Europeen.

¹⁰⁵ Section I, Chapter 17, Election Code.

¹⁰⁶ “Greek residents abroad – Voter information.” YPES. <https://www.ypes.gr/ekloges/ekloges-gia-to-europaiko-koinoboulio/ekloges-gia-to-europaiko-koinoboulio-2/endiaferoyn-toys-ellines-katoikoy-s-exoterikoy>.



on the electoral lists of a Greek municipality and, prior to the election, must declare where they intend to vote to the consulate or embassy.

4.4. Voting at special polling stations within the country

Some 15 Member States create special voting stations for certain categories of voters who would otherwise not be able to vote on election day.¹⁰⁷ In Austria, Bulgaria, Germany, Italy, Lithuania, Netherlands, Poland and Sweden, special polling stations are set up in hospitals, care institutions and penitentiaries. In Greece, special polling stations are created for the military and people working on ships.¹⁰⁸ In Denmark, sailors serving on Danish ships can vote on board the ship – the captain of the ship will collect the votes.¹⁰⁹ In Estonia, voting can be held on a ship flying the Estonian flag.¹¹⁰ If the ship is in international waters on election day, this can be done during advance voting or on election day. In the Czech Republic, special voting stations are set up for people who are incarcerated.¹¹¹ In Malta, special polling stations are available in hospitals and in retirement homes with more than 50 residents. The registration and required identification to vote at a special polling station differs between Member States; a detailed description is available in the 2018 Study.

4.5. Voting at mobile polling stations

Some 16 Member States provide mobile polling stations for certain categories of voters.¹¹² These include people with disabilities (Austria, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, Hungary, Ireland, Italy, Latvia, Lithuania, Romania, Slovakia, Slovenia, and Sweden), people in care homes (Cyprus, Czech Republic, Estonia, Hungary,

¹⁰⁷ Austria, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Finland, Germany, Greece, Italy, Lithuania, Malta, Netherlands, Poland and Sweden.

¹⁰⁸ Article 27(7) Presidential Decree 96/2007, Codification in a single text of the legislation for the election of Members of Parliament.

¹⁰⁹ “The Parliamentary Electoral System in Denmark.” *Folketinget*, p. 25. https://www.thedanishparliament.dk/-/media/pdf/publikationer/english/the-parliamentary-system-of-denmark_2011.ashx.

¹¹⁰ Section 55(1) European Parliament Election Act (2003).

¹¹¹ Act No. 247 on Elections to the Parliament of the Czech Republic, and on Amendments of Certain other Acts (1995).

¹¹² Austria, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, Hungary, Ireland, Italy, Latvia, Lithuania, Portugal, Romania, Slovakia, Slovenia and Sweden.



Ireland, Latvia, Portugal, Romania, Slovakia and Sweden) or those incarcerated (Czech Republic, Denmark, Estonia, Hungary, Portugal, Romania, Slovakia and Sweden). In Austria, Bulgaria, Croatia, Denmark, Estonia, Finland, Hungary, Ireland, Italy, Latvia, Lithuania, Romania, Slovakia, Slovenia and Sweden, the ballot box is brought directly to the voter's place of residence. In the Czech Republic, a mobile polling station can be set up in any location. In Bulgaria – in addition to those who need to vote from home – those in pre-trial detention, hospitals, specialised institutions and on naval vessels can organise a mobile polling station as long as there are at least ten voters casting ballots from said location.¹¹³ In Denmark, Estonia, Hungary, Ireland, Latvia, Portugal, Romania, Slovakia and Sweden, mobile ballot boxes can be requested for hospitals, prisons or care institutions. As with special polling stations, the registration and identification required for a mobile polling station differs between Member States.¹¹⁴

4.6. Voting in another district

Seventeen Member States allow for voting in another district within the country.¹¹⁵ Since the 2018 Study, we have only seen a change in Portugal. Here, the country adopted a new system for the 2019 EP elections that allowed advance voting without justification from anywhere in the country, regardless of the district the voter was registered.¹¹⁶

4.7. Electronic voting

While several Member States have attempted to or conducted trials for electronic voting, this option is currently only available in Estonia,¹¹⁷ where it was launched as a pilot project in 2005. The system is governed by the State Electoral Office under the supervision of the National Electoral Committee. Access to the online ballot is only available during the days foreseen for advance voting; the vote cannot be exercised on election day. It is enabled through the machine-

¹¹³ Article 9(6)-(7) Electoral Code 2014 (Amended 2017).

¹¹⁴ Details on registration and identification can be found in the 2018 Study on Remote Voting.

¹¹⁵ Austria, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Finland, Greece, Hungary, Latvia, Lithuania, Netherlands, Poland, Romania, Slovakia, Slovenia and Sweden.

¹¹⁶ "Special Voting Arrangements in Europe: Postal, Early and Mobile Voting." IDEA Webinar Series Report (2019), p. 20. <https://www.idea.int/sites/default/files/publications/special-voting-arrangements-in-europe.pdf>,

¹¹⁷ "i-voting." e-governance, e-estonia. <https://e-estonia.com/solutions/e-governance/i-voting/>.



readable microchip stored in Estonian ID cards and its PIN. Voters may access the online platform both in Estonia and abroad.

4.8. Advance voting

Seven Member States allow for advance voting in EP elections¹¹⁸; however, the number of days before the election that voters are allowed to cast their vote – and procedures involved – differ. In Estonia, in every county there is at least one polling place open where voters can cast their votes from ten to seven days before the election. Moreover, voters can also vote in advance electronically, in mobile polling stations, hospitals or while in custody.¹¹⁹ In Finland, every eligible voter may vote in advance at general advance polling stations. Advance voting in Latvia was open three days before the EP elections (22-24 May 2019).¹²⁰ In Lithuania, all voters can vote in advance on the Wednesday and Thursday before election day.¹²¹ Voting can take place in any municipality or, in special circumstances, home voting can take place in advance. In Portugal, those eligible for early voting includes those who are abroad for work, on humanitarian missions, researchers, exchange students or patients receiving medical treatment. They can vote up to the 12th day prior to the election at an embassy or consulate. For the 2019 EP elections, for the first time Portuguese voters could register for early voting either by mail or online without providing justification. This could be done anywhere in Portugal, regardless of place of residence. Prior to 2019, voters had to provide justification – such as professional obligations, hospital treatment, imprisonment or educational reasons – for casting their ballot in advance. Slovenia opens advance voting between the fifth and second day prior to an election. In Sweden, voters can vote in advance from up to 18 days before the Election Day.¹²²

¹¹⁸ Estonia, Finland, Latvia, Lithuania, Portugal, Slovenia and Sweden.

¹¹⁹ Section 38(2)1-2 and Section 45 National Election Act

¹²⁰ “How to vote in Latvia.” European Parliament Elections 2019. <https://www.european-elections.eu/how-to-vote/latvia?otherEUCountry=y>.

¹²¹ “How to vote in Lithuania.” European Parliament Elections 2019. <https://www.european-elections.eu/how-to-vote/lithuania?otherEUCountry=y>.

¹²² “How to Vote in Sweden.” European Parliament Elections 2019. <https://www.european-elections.eu/how-to-vote/sweden?otherEUCountry=y>.



5. Remote Voting: Options available in Member States since the beginning of the COVID-19 pandemic

Ensuring a safe and inclusive environment for electors to cast their ballots is at the core of the democratic process. As noted above, the COVID-19 pandemic has posed a series of challenges for those Member States that had scheduled elections during the course of 2020 and early 2021. During this period, a total of 22 elections (at different levels) have been held in 13 Member States, namely Germany, France, Poland, Croatia, Spain, Austria, Italy, Czech Republic, Lithuania, Portugal, Romania, the Netherlands and Bulgaria. Six of the elections in five Member States (France, Poland, Italy, Croatia and Austria) that were supposed to take place during the first wave of the pandemic (March - June 2020) were postponed and held at a later date. In Austria, Croatia, and Italy, where elections were rescheduled, there was a decline in turnout compared to previous elections, of 5.2, 6.2 and 14.4 percent, respectively. In contrast, turnout at the regional elections in Italy had increased in all regions compared to previous elections, as did the turnout in the Polish Presidential elections.

In all of these elections, remote voting methods have been available for different categories of voters, inside and outside the country (where remote voting applied for citizens abroad). Tables 4 and 5 provide an overview of elections held in the different Member States, with notes on the type of election, the remote voting options available, overall turnout and turnout change compared to previous elections. Turnout rates have been reported at national and regional levels. There is no disaggregated information available at the local level as of 5 July 2021.

**Table 4. Remote voting in the country of residence**

Date	Country	Election	Remote voting options available	Overall voter turnout (%)	Difference in voter turnout as compared to the previous election?	Was the election postponed by the COVID-19 measures?
15-29 March 2020	Germany	Local elections (Bavaria)	Yes, postal voting and at special polling stations	N/A	N/A	No
15 March / 28 June 2020	France	Local elections	Yes, proxy voting	N/A	N/A	Yes, the second round was postponed until June
28 June 2020	Poland	Presidential elections	Yes, postal, proxy and special arrangements to in-person voting for certain categories of citizens	64.5% (first round) / 68.2% (run-off)	+15.6% (first round) / + 12.8% (run-off)	Yes, originally in May
5 July 2020	Croatia	Parliamentary elections	Yes, only special arrangements to in-person voting for certain categories of citizens	46.4%	-6.2%	Yes, originally in April
10 July 2020	Spain	Regional elections (Galicia and Basque Country)	Yes, postal and voting at special polling stations (e.g. ports)	49.0% (Galicia) / 50.8% (Basque Country)	-4.7% (Galicia) / -9.2 (Basque Country)	No
13 September 2020	Austria	Municipal elections (Vorarlberg)	Yes, postal voting	53.4%	-5.2%	Yes, originally in March
13 September 2020	Germany	Local elections (North-Rhine-Westphalia)	Yes, postal voting	N/A	N/A	No
20-21 September 2020	Italy	Referendum	Yes, special arrangements to in-person voting for certain categories of citizens	51.1% (Constitutional Referendum 2020)	-14.4% (Constitutional Referendum 2016)	Yes, originally in April



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20-21 September 2020	Italy	Regional elections (seven regions)	Yes, special arrangements to in-person voting for certain categories of citizens	70.5% (Aosta Valley) / 56.4% (Apulia) / 55.5% (Campania) / 53.5% (Liguria) / 59.7% (Marche) / 62.20% (Tuscany) / 61.10% (Veneto)	+5.4% (Aosta Valley) / +5.3% (Apulia) / +3.6% (Campania) / +2.8% (Liguria) / +10.0% (Marche) / +14.3% (Tuscany) / +3.9% (Veneto)	Yes, originally in April
27 September 2020	Romania	Local elections	Yes, special arrangements for in-person voting for certain categories of citizens	47.8%	-1.0%	Yes, originally in June
2-3 October	Czech Republic	Regional elections	Yes, special arrangements for in-person voting for certain categories of citizens	38.0%	N/A	No
2-3 October 2020	Czech Republic	Senatorial elections	Yes, special arrangements for in-person voting for certain categories of citizens	36.3% (first round) / 16.7% (run-off)	-5.2% (first round) / +0.3% (run-off)	No
4 October 2020	France	Referendum (Nouvelle Calédonie)	No	85.6% (Referendum for Independence 2020)	+5.0% (Referendum for Independence 2018)	No
11 October	Austria	Regional elections (Vienna)	Yes, postal voting and special arrangements for in-person voting for certain categories of citizens	65.3%	-9.5%	No
11-25 October	Lithuania	Parliamentary elections	Yes, postal voting and special arrangements for in-person voting for certain	47.8% (nationwide constituency) / 47.5% (PR first round) /	-2.8% (nationwide constituency) / -3.1% (PR first round) /	No



			categories of citizens	39.0% (PR run-off)	+ 1.0% (PR run-off)	
25 October 2020	Portugal	Regional elections (Acores)	Yes, special arrangements for in-person voting for certain categories of citizens	45.4%	+4.6%	No
6 December 2020	Romania	Legislative elections	Yes, special arrangements for in-person voting for certain categories of citizens	32.0%	-6.2%	No
24 January 2021	Portugal	Presidential elections	Yes, special arrangements for in-person voting for certain categories of citizens	39.3%	-9.4%	No
14 March 2021	Germany	Regional elections (Baden-Württemberg, Rhineland-Palatinate)	Yes, postal voting	63.8% (Baden-Württemberg) / 64.4% (Rhineland-Palatinate)	-6.6% (Baden-Württemberg) / -6.0% (Rhineland-Palatinate)	No
14 March 2021	Germany	Local election (Hesse)	Yes, postal voting	50.4%	+2.5%	No
17 March 2021	The Netherlands	Parliamentary elections	Yes, postal, proxy voting and special arrangements for in-person voting for certain categories of citizens	79.3%	-2.6%	No
4 April 2021	Bulgaria	Parliamentary Elections	Yes, special arrangements for in-person voting for certain categories of citizens	50.6%	-3.5%	No

In the country of residence, postal voting has been used as the remote method in 11 elections, and special arrangements for in-person voting for certain categories of citizens have been as widespread. For example, Lithuania traditionally offers early, postal and mobile voting options. In order to mitigate health and safety risks, Lithuania adopted new legislation to make



online voting available; however, it was impossible to deliver such a system in time for the 2020 general elections.¹²³ For the 2020 parliamentary elections, the Central Election Commission extended early voting by two days – and voting times by an hour – in an attempt to alleviate crowding on election day.¹²⁴ Furthermore, the Commission increased the number of early polling stations,¹²⁵ ensured additional hygiene measures were in place and added drive-through polling stations for those in quarantine. The drive-through stations allowed voters to deposit votes into a ballot box from their car while maintaining a safe distance from polling station workers. Citizens who had tested positive for COVID-19 were able to vote in mobile polling stations.

As in Lithuania, several other Member States (Austria, Croatia, Czech Republic, Hungary, Netherlands, Poland, Bulgaria, Finland and the German *Länder* of Bavaria) took additional measures to guarantee that voters with COVID-19, and those in quarantine, were able to vote. In Austria, while postal voting had existed prior to the pandemic, it was heavily advertised as a safe voting solution for the elections in 2020 and 2021. In all elections since March 2020, there has been a significant increase in the number of absentee ballots ordered.¹²⁶ In the Vorarlberg Municipal Council elections, for example, 75 percent more voters ordered absentee ballot cards.¹²⁷ Advance voting was available for the first time in the elections in Vienna and St. Polten as a way to reduce crowds on election day.¹²⁸ Mobile polling officials in Vienna were also equipped with special sanitary protection equipment to ensure safety when collecting ballots from quarantined voters.

¹²³ “Online voting may not be possible in October elections, says electoral commission.” LRT, 7 October 2020, <https://www.lrt.lt/en/news-in-english/19/1196258/online-voting-may-not-be-possible-in-october-elections-says-electoral-commission>.

¹²⁴ “Special Voting Arrangements in Europe: Postal, Early and Mobile Voting.” IDEA Webinar Series Report (2019), p. 19. <https://www.idea.int/sites/default/files/publications/special-voting-arrangements-in-europe.pdf>.

¹²⁵ Sharp increase in voters casting early in person voting (3.5 percent in previous elections to 11.4 percent this year).

“Special Voting Arrangements in Europe: Postal, Early and Mobile Voting.” IDEA Webinar Series Report (2019), p. 19. <https://www.idea.int/sites/default/files/publications/special-voting-arrangements-in-europe.pdf>.

¹²⁶ See Type B Report – Political Participation of Mobile EU Citizens – Insights from pilot studies on Austria, Belgium, Bulgaria, Germany, Greece, Hungary, Ireland and Poland (2021).

¹²⁷ Der Standard, Vorarlberg-Wahl: Wallner bittet um Stimmabgabe mit Mund-Nasen-Schutz, 11 September 2020, <https://www.derstandard.at/story/2000119942827/vorarlberg-wahlen-wallner-bittet-um-stimmabgabe-mit-mund-nasen-schutz> [6 April 2021].

¹²⁸ Wien-Wahl 2020: Sicher wählen bei den Wiener Gemeinderats- und Bezirksvertretungswahlen, OTS0005, 21. Sep. 2020, 08:00, https://www.ots.at/presseaussendung/OTS_20200921_OTS0005/wien-wahl-2020-sicher-waehlen-bei-den-wiener-gemeinderats-und-bezirksvertretungswahlen [06.04.2021]. Landeshauptstadt St.Pölten, Alle Infos zur Gemeinderatswahl 2021, <https://www.st-poelten.at/news/15893-alle-infos-zur-gemeinderatswahl-2021> [2 April 2021].



For the elections on 5 July 2020, the State Electoral Commission of the Republic of Croatia (DIP) published health and safety instructions to prevent the spread of COVID-19 at polling stations. These included social distancing, hygiene measures as well as taking of the temperature on the morning of the vote.¹²⁹ Voters in quarantine or self-isolating could register for mobile voting up to three days before the election.¹³⁰ However, people who tested positive for COVID-19 would not be able to vote. This decision was criticised by NGOs and, when the Electoral Commission did not change its position, it was brought to the Constitutional Court. The Constitutional Court stated that under Article 16 of the Constitution the Electoral Commission, it would not be unacceptable for the Electoral Commission to prohibit those with communicable diseases from coming to polling stations.¹³¹ However, the Electoral Commission must still guarantee that all eligible voters have the opportunity to exercise the right to vote.¹³² In response, the Electoral Commission made proxy voting available for those testing positive for COVID-19.¹³³

The Czech Republic made drive-through polling stations available for their election in October 2020.¹³⁴ For the 21 September 2020 referendum in Italy, people with COVID-19 in self-isolation were able to request to vote from home or hospital (as long as the request was made five days prior to the election).¹³⁵ In Hungary, voters in isolation or who had tested positive for COVID-19 could request a mobile ballot box.¹³⁶ The Netherlands expanded proxy voting from a maximum of two persons to three in situations where a voter could not be present

¹²⁹ “DIP says epidemiological measures to be in place during voting on 5 July.” *Total Croatia News*, 29 June 2020. <https://www.total-croatia-news.com/politics/44640-dip-says-epidemiological-measures-to-be-in-place-during-voting-on-july-5>.

¹³⁰ Kersic, M. “The Case of Croatia: Constitutional Conflict Between the Right to Vote and the Protection of Health.” *Verfassungsblog*, (2020). <https://verfassungsblog.de/voting-in-times-of-a-pandemic/>.

¹³¹ “Croatia’s Constitutional Court says Electoral Commission must ensure right to vote to COVID patients.” *Croatiaweek*. 3 July 2020, <https://www.croatiaweek.com/croatias-constitutional-court-says-electoral-commission-must-ensure-right-to-vote-to-covid-patients/>.

¹³² *Ibid*.

¹³³ “Elections and COVID-19: How election campaigns took place in 2020.” *IDEA News*, 2 February 2021. [https://www.idea.int/news-media/news/elections-and-covid-19-how-election-campaigns-took-place-2020](https://www.idea.int/news-media/news/elections-and-covid-19-how-election-campaigns-took-place-2020;).; Constitutional Court Decision U-VII-2980/2020. Case-Law of the Republic of Croatia. 3 July 2020. <https://sljeme.usud.hr/usud/prakswen.nsf/fOdluka.xsp?action=openDocument&documentId=54A9F7A62A4363AAC125859F00234EC8>.

¹³⁴ “Elections and COVID-19: How election campaigns took place in 2020.” *IDEA News*, 2 February 2021. <https://www.idea.int/news-media/news/elections-and-covid-19-how-election-campaigns-took-place-2020>.; and “Press Release: The Minister of the Interior presented to the representatives of the political parties the options that would allow people to vote in quarantine,” Ministry of the Interior of the Czech Republic, <https://www.mvcr.cz/mvcren/docDetail.aspx?docid=22262603&doctype=ART>.

¹³⁵ “Italians turn out to vote despite virus, back lawmaker cuts,” *abcnews*, 21 September 2020. <https://abcnews.go.com/International/wireStory/italians-turn-drove-virus-referendum-73146010>.

¹³⁶ Act XXXI of 2013 on Electoral Procedure.



on voting day due to quarantine or self-isolation.¹³⁷ In addition, in Amsterdam, a drive-through ballot box was opened for the first time.¹³⁸

In Poland, a draft law was considered that would have made postal voting the only option available to all voters. The proposal entailed having ballots delivered to all voters by the national post office without confirmation of receipt, no later than a day before the election. However, this was met with domestic and international criticism as it would shift responsibility from the National Electoral Commission to the post office, which would then be responsible for voters' personal data. The upper house rejected the proposed law. On 2 June, a Special Act on the Presidential Election was passed, which made postal voting complementary to in-person voting.¹³⁹ However, for communities with high COVID-19 infection rates and for those in quarantine or self-isolation, postal voting was obligatory.¹⁴⁰ Voter turnout for both rounds was at an all-time high.¹⁴¹

For the March 2020 Bavarian elections, postal voting was expanded and could be requested by any citizen without justification for the first round. Bavaria is the *Länder* second-most affected by COVID-19 in Germany and, with increasing infection rates, State officials decided to hold an all-postal voting for the run-off election.¹⁴² Surprisingly, turnout was higher than in the previous elections at 58.8 and 59.5 percent – 4.2 percent higher than 2014.¹⁴³

In April 2021, Bulgaria held parliamentary elections. The ruling political party, GERB, stated that amendments to the Election Code would be required to ensure that quarantined and people with COVID-19 would be able to vote.¹⁴⁴ This was done through expanding the

¹³⁷ See Prof Dr H. Schneider and S. Sivonen, Type A Study - Political Participation of Persons with Disabilities (2021).

¹³⁸ "The third (and last) election day here's what you need to know." *HetParool*. 17 March 2021. <https://www.parool.nl/amsterdam/de-derde-en-laatste-verkiezingsdag-dit-is-wat-je-nu-nog-moet-weten~b07749ee/?referrer=https%3A%2F%2Fwww.google.com%2F>.

¹³⁹ "Special regulations for general elections of the President of the Republic of Poland ordered in 2020 with the possibility of postal voting" (2 June Act). <https://www.rpo.gov.pl/pl/node/19169>.

¹⁴⁰ "Special Voting Arrangements in Europe: Postal, Early and Mobile Voting." IDEA Webinar Series Report (2019), p.4. <https://www.idea.int/sites/default/files/publications/special-voting-arrangements-in-europe.pdf>.

¹⁴¹ "Risk mitigation measures for national elections during the Covid-19 crisis." *IDEA News*. 22 July 2020. <https://www.idea.int/news-media/news/risk-mitigation-measures-national-elections-during-covid-19-crisis>.

¹⁴² Wagner, R. "Responding to COVID-19 with 100 per cent Postal Voting: Local Elections in Bavaria, Germany." IDEA – Case study (2020), p. 5. <https://www.idea.int/sites/default/files/responding-to-covid-19-with-postal-voting-local-elections-in-bavaria.pdf>.

¹⁴³ *Ibid*, p.11.

¹⁴⁴ "Bulgaria will not allow mail-in voting despite pandemic." *EURACTIV*. 14 January 2021. https://www.euractiv.com/section/politics/short_news/bulgaria-will-not-allow-mail-in-voting-despite-pandemic/.

availability of mobile voting stations at voters’ homes and in hospitals. However, there were several limitations. First, information on the opportunity was not well disseminated to voters. Second, recruitment for mobile polling booth officials was unsuccessful and, therefore, there was insufficient staffing to meet the demand for this option. Third, individuals who were quarantined between 30 March - 4 April could not request a mobile polling station.¹⁴⁵ In the lead up to the election, there was a debate in parliament over implementing postal voting; however, the idea was not adopted.¹⁴⁶

As Table 5 indicates, the pandemic largely decreased turnout among out-of-country voters, who may have also faced restrictions to mobility due to domestic lockdowns, in those situations where they needed to travel to reach a polling station. The effects of the pandemic on turnout in Croatia and Spain are difficult to determine, as both countries changed their registration methods. Thus, the number of registered voters in electoral unit 11 (voters abroad) of Croatia in 2020 stood at 184 786 as opposed to 59 409 in the 2016 parliamentary elections. In the regional parliamentary elections of the Basque Country (Spain), the number of registered electors was 68.9 percent of those registered in the 2016 elections. As a result of the decrease in the number of registered voters, the voter turnout rate increased by 10.5 percent in the 2020 election in the Basque Country, despite less votes being cast in 2020.

Table 5. Remote voting from abroad

Date	Country	Election	Remote voting options available	Voter turnout (%)	Difference in voter turnout as compared to the previous election?	Was the election postponed by the Covid-19 measures?
15-29 March 2020	Germany	Local elections (Bavaria)	No	N/A	N/A	No
15 March / 28 June 2020	France	Local elections	No	N/A	N/A	Yes, the second round was postponed to June

¹⁴⁵ See Type B Report – Political Participation of Mobile EU Citizens – Insights from pilot studies on Austria, Belgium, Bulgaria, Germany, Greece, Hungary, Ireland and Poland (2021).

¹⁴⁶ “You’ve got mail: Bulgaria’s Big Parties Balk at Call for Postal Voting.” *Balkan Insight*. 9 February 2021. <https://balkaninsight.com/2021/02/09/youve-got-mail-bulgarias-big-parties-balk-at-call-for-postal-voting/>.



28 June 2020	Poland	Presidential elections	Yes, in-person voting	83.2% (first round) 79.6% (run-off)	-1.2% (first round) -17.1% (run-off)	Yes, originally in May
5 July 2020	Croatia	Parliamentary elections	Yes, in-person voting	Missing data	Missing data	Yes, originally in April
10 July 2020	Spain	Regional elections (Galicia and Basque Country)	Yes, postal and in-person voting	42.20% (Galicia) / 73.30% (Basque Country)	-12.54% (Galicia) / +10.5% (Basque Country)	No
13 September 2020	Austria	Local elections (Vorarlberg)	Yes, postal voting	Missing data	Missing data	Yes, originally in March
13 September 2020	Germany	Regional elections (North-Rhine-Westphalia)	No	N/A	N/A	No
20-21 September 2020	Italy	Referendum	Yes, postal voting	23.30% (Constitutional Referendum 2020)	-7.46% (Constitutional Referendum 2016)	Yes, originally in April
20-21 September 2020	Italy	Regional elections (7 regions)	No	N/A	N/A	Yes, originally in April
27 September 2020	Romania	Local elections	No	N/A	N/A	Yes, originally in June
2-3 October 2020	Czech Republic	Regional elections	No	N/A	N/A	No
2-3 October 2020	Czech Republic	Senatorial elections	No	N/A	N/A	No
4 October 2020	France	Referendum (New Caledonia)	No	N/A	N/A	No
11 October 2020	Austria	Regional elections (Vienna)	No	N/A	N/A	No
11-25 October 2020	Lithuania	Parliamentary elections	Yes, in-person	83.4% 83.4% 62.4%	-2.0% -2.1% +7.5%	No
25 October 2020	Portugal	Regional elections (Acores)	Yes, postal	Missing data	Missing data	No
6 December 2020	Romania	Legislative Elections	Yes, in-person	31.8%	-8.0%	No
24 January 2021	Portugal	Presidential elections	Yes, in-person	1.88%	-2.8%	No
14 March 2021	Germany	Regional elections	No	N/A		No



		(Baden-Wurtemberg, Rhineland-Palatinate)				
14 March 2021	Germany	Local Elections (Hesse)	No	N/A		No
17 March 2021	The Netherlands	Parliamentary elections	Yes, postal and proxy voting	No data available yet	No data available yet	No
4 April 2021	Bulgaria	Parliamentary	Yes, in-person	32.2%	-1.6%	No

Upcoming elections

Finland was scheduled to hold municipal elections on 18 April 2021. However, there has been a national debate over whether to continue with the scheduled election or to postpone them, in light of inadequate preparation to ensure health and safety precautions. Finland will expand mobile voting to those in quarantine or with COVID-19 with an official declaration by a doctor.¹⁴⁷ However, this was seen as insufficient, as it puts poll workers at risk. Consequently, the election was postponed until 13 June with the hope that vulnerable groups of voters and election officials will be vaccinated by then.¹⁴⁸ The ability to vote in advance has also been extended from one week to two weeks prior to election day.¹⁴⁹

In Ireland on 8 January 2021, the government published the General Scheme for Electoral Reform Bill 2020. The bill is currently undergoing pre-legislative scrutiny and is expected to be enacted by the autumn of 2021.¹⁵⁰ One of the proposed measures is – due to COVID-19 restrictions – to allow voting to occur over two days. Furthermore, access to postal voting will become more open for those in care homes and hospitals, who would be able to give their postal vote to an electoral officer.

¹⁴⁷ See Prof. Dr. H. Schneider and S. Sivonen, Type A Study - Political Participation of Persons with Disabilities (2021).

¹⁴⁸ Ibid.

¹⁴⁹ Ibid.

¹⁵⁰ “General Scheme of the Electoral Reform Bill 2020.” Department of Housing, Local Government and Heritage. (8 January 2021). <https://www.gov.ie/en/publication/34cf6-general-scheme-of-the-electoral-reform-bill-2020/>.



In Latvia, mobile voting is available to voters who cannot reach a polling station for health-related reasons, those who are caring for the ill and to voters who are incarcerated. This right has also been extended to those in self-isolation or quarantine.¹⁵¹ Mobile voting stations in Latvia can occur in personal residences, care homes, prisons and temporary detention facilities but only if the voter is located within the jurisdiction of the polling station where they are registered to vote.¹⁵² In European Parliament elections, however, if the voter is hospitalised, they can vote outside of their jurisdiction.¹⁵³

5.1. New legislation or government decrees for voters stranded abroad

In March 2020, thousands of Europeans were stranded abroad due to travel restrictions put in place to mitigate the spread of the COVID-19 virus. The EU and its Member States coordinated the return of over 600 000 citizens.¹⁵⁴ To date, we have not found any legislation or government decrees that would have enabled voting for voters stranded abroad. However, there must be some reflection over the meaning of ‘stranded’ abroad. We can identify three situations in which voters might be unable to participate in elections due to an inability to be present in person on election day. First, those blocked due to border closures; second, those under domestic quarantine rules; and third, those prevented due to personal restrictions (for example, health or financial factors). In the first situation, this would be when countries impose strict border closures, including those affecting their own citizens. Here, exercising the right to vote would depend on which remote voting options are available, such as in-person voting at the embassy, postal, proxy or e-voting. The second would be in situations where voters cannot present themselves in-person because they are in quarantine abroad. Here, e-voting, proxy or mobile voting options organised by an embassy or consular service would present potentially feasible solutions. The third is in cases where an individual cannot return to vote in-person because of personal constraints. For example, where the financial cost of travel, due to limited flight availability, hotel quarantine and/or PCR tests hinder the ability to travel. This could also

¹⁵¹ “Special Voting Arrangements in Europe: Postal, Early and Mobile Voting.” IDEA Webinar Series Report (2019), p. 25. <https://www.idea.int/sites/default/files/publications/special-voting-arrangements-in-europe.pdf>.

¹⁵² This has been the case since the 1993 parliamentary elections.

¹⁵³ “Special Voting Arrangements in Europe: Postal, Early and Mobile Voting.” IDEA Webinar Series Report (2019), p. 25. <https://www.idea.int/sites/default/files/publications/special-voting-arrangements-in-europe.pdf>.

¹⁵⁴ EEAS. https://eeas.europa.eu/headquarters/headquarters-homepage/76203/good-stories-consular-support-eu-citizens-stranded-abroad_en



include health-related travel risks for vulnerable voters. In these situations, remote voting methods such as postal, proxy, in-person at embassy or e-voting would facilitate the enfranchisement of these voters.

5.2. Safe remote voting options for vulnerable categories of voters

There are an estimated 87 million Europeans living with some form of disability within the EU.¹⁵⁵ Persons with disabilities face additional barriers in exercising their right to vote, accessibility challenges or restrictions to their legal capacity. These complications have been exacerbated by the ongoing COVID-19 pandemic. In March 2021, Commissioner Dalli announced a new Strategy for the Rights of Persons with Disabilities for 2021-2030.¹⁵⁶ There are three primary goals: i) ensuring the enjoyment of EU rights on an equal basis with others, ii) guaranteeing quality of life and autonomy, and iii) the right to live free from discrimination. The European Commission has further committed to issuing guidance on the participation of persons with disabilities in the electoral process.

As outlined in the 2018 report on political participation for voters with disabilities, Member States provide a variety of voting options for this category of voters. These options have a range of consequences and implications. In pandemic times, some countries are considering further expanding special voting options in order to protect these voters from health and safety risks. However, without adequate planning, Member States will face challenges in implementing alternative arrangements in times of crisis. Table 6 indicates which options are available to each of these vulnerable categories of voters.

¹⁵⁵ “Opening remarks by Commissioner Dalli on the Strategy for the Rights of Persons with Disabilities 2021-2030.” European Commission, 3 March 2021. https://ec.europa.eu/commission/presscorner/detail/en/speech_21_1015.

¹⁵⁶ “Opening remarks by Commissioner Dalli on the Strategy for the Rights of Persons with Disabilities 2021-2030.” European Commission, 3 March 2021. https://ec.europa.eu/commission/presscorner/detail/en/speech_21_1015.



The Benefits and Drawbacks of Remote Voting

Table 6: Remote voting options for vulnerable voters in national and EP elections

	Disabled persons	Hospitalized patients	People in care homes	Temporary cross-border care workers
Austria 	postal voting, mobile polling stations	Postal voting, mobile polling stations	Postal voting, mobile polling stations	In-person at embassy, postal voting
Belgium 	Proxy voting	Proxy voting	Proxy voting	Proxy voting, In-person at embassy, postal voting
Bulgaria 	Mobile polling stations	Mobile polling stations	Mobile polling stations	In-person at embassy
Croatia 	Mobile polling station	Proxy voting for those with COVID-19 Special polling stations	Special polling stations	In-person at embassy
Cyprus 	N/A	Mobile polling stations (for those with coronavirus)	N/A	In-person at embassy
Czech Republic 	Special polling stations	Mobile polling stations	Mobile polling stations	N/A
Denmark 	postal voting, mobile polling stations	postal voting, mobile polling stations	postal voting, mobile polling stations	postal voting; in-person at embassy (EP)
Estonia 	electronic voting, advance voting	electronic voting, advance voting	electronic voting, advance voting	electronic voting, advance voting
Finland 	advance voting; mobile polling stations	advance voting; special polling stations	advance voting; special polling stations	postal voting; in-person at embassy
France 	Proxy voting	Proxy voting	Proxy voting	Proxy voting
Germany 	postal voting, proxy voting	postal voting	postal voting	postal voting
Greece 	N/A	N/A	N/A	at embassy but only for EP elections
Hungary 	mobile polling station	mobile polling station	mobile polling station	Postal voting
Ireland 	postal voting	Postal voting; mobile polling station	Postal voting, mobile polling station	postal voting
Italy 	mobile polling station	mobile polling station	mobile polling station	In-person at embassy but only for EP elections when temporarily in another Member State
Latvia 	mobile polling station; advance voting	mobile polling station; advance voting	mobile polling station; advance voting	Postal voting; in person at embassy; advance voting
Lithuania 	postal voting, special polling stations; advance voting	postal voting, special polling stations; advance voting	postal voting, special polling stations; advance voting	In-person at embassy
Luxembourg 	postal voting	postal voting	postal voting	postal voting
Malta 	N/A	Special polling station	Special polling station	N/A
Netherlands 	Proxy, special polling stations	Proxy voting	Proxy voting; postal voting (for over-70s)	postal voting
Poland 	postal voting	Postal voting	Proxy (for over-75s), postal voting, special polling stations	In-person at embassy, postal voting
Portugal 	advance voting	advance voting	advance voting, mobile polling stations	advance voting, postal voting, in-person at embassy
Romania 	mobile polling station	mobile polling station	mobile polling station	In person at embassy
Slovakia 	mobile polling station	mobile polling station	mobile polling station	Postal voting
Slovenia 	advance voting, postal voting, mobile polling station	Advance voting, postal voting	Advance voting, postal voting	advance voting or in person at embassy
Spain 	postal voting	postal voting	postal voting	postal voting
Sweden 	advance voting, proxy, mobile polling station	advance voting, proxy, mobile polling station	advance voting, proxy, mobile polling station	Advance voting, In-person at embassy, postal voting



Voters with disabilities

All Member States – except for Cyprus, Greece¹⁵⁷ and Malta – provide special voting arrangements for voters with disabilities. Estonia, Finland, Portugal, Slovenia and Sweden allow voters to vote in advance of election day. This helps facilitate the process for persons with disabilities by reducing exposure to crowds, which is of particular importance when there are health and safety concerns. In Belgium, France, Germany, the Netherlands and Sweden, these voters can assign a person to cast a ballot on their behalf (proxy vote). Proxy voting prevents exposing vulnerable persons to the health and safety risks of attending a polling stations on election day. Bulgaria, Croatia, Denmark, Hungary, Italy, Latvia, Romania, Slovakia and Sweden provide for mobile polling stations to the residence of the voter. This type of remote voting is a useful alternative to voting in regular polling stations, particularly when a person’s disability or medical condition makes it difficult for them to travel to the polling station. The procedures involved in registration and administration differ between Member States;¹⁵⁸ Austria, Denmark, Germany, Ireland, Lithuania, Luxembourg, Poland, Slovenia and Spain offer voters with disabilities the opportunity to cast their vote via post. Again, this form of remote voting is helpful for reducing exposure to health and safety risks on election day. However, the effectiveness of postal voting in facilitating the process for voters with a disability also depends on the registration process and the instruction package. For example, in cases where the voter is visually impaired, there should be instructions made available in Braille and/or by audio.¹⁵⁹

Hospitalised patients

Member States provide a range of options for voters who have been hospitalised to exercise their right to vote. However, in some cases, such options require support from the voter’s family and/or organisation on the part of the hospital. The effectiveness of the remote voting options

¹⁵⁷ Although voting in Greece is compulsory, the Greek authorities are flexible in applying this rule for people living with a disability. See: Pater, Krzysztof, “Breaking down the barriers: Persons with disabilities and their right to vote in European Parliament elections.” European Economic and Social Committee, p. 8. <https://www.eesc.europa.eu/sites/default/files/files/qe-03-19-084-en-n.pdf>.

¹⁵⁸ For example, in Bulgaria, this is done by submitting an application to the local administration 14 days prior to election.

¹⁵⁹ Pater, Krzysztof, “Breaking down the barriers: Persons with disabilities and their right to vote in European Parliament elections.” European Economic and Social Committee, p. 25. <https://www.eesc.europa.eu/sites/default/files/files/qe-03-19-084-en-n.pdf>.



thus depend on the registration and implementation procedures. For example, if the registration or application process for a remote voting option requires advanced planning, it may not be possible in the event of sudden or unexpected hospitalisation. Nine Member States (Austria, Denmark, Germany, Lithuania, Luxembourg, Poland, Slovenia and Spain) allow voters to vote by post. Indeed, postal voting is an effective way of ensuring access to the polls for those voters who cannot make it to polling stations on election day. However, it may not be the most effective option in cases of sudden or unexpected hospitalisation, as the voter may need to apply in advance for their ballot card. Five Member States (Belgium, Croatia, France, the Netherlands and Sweden) allow voters to assign a proxy to vote on their behalf. Depending on the procedure for assigning the proxy, this may also be challenging in cases of sudden or unexpected hospitalisation, for example in those Member States where the voter must assign their proxy in person. Twelve Member States (Austria, Bulgaria, Cyprus, Czech Republic, Denmark, Hungary, Ireland, Italy, Latvia, Romania, Slovakia and Sweden) provide mobile polling stations for those voters who are hospitalised on election day. In Cyprus, this is a new mechanism for the upcoming election, and will apply specifically to those hospitalised or in quarantine because of COVID-19.¹⁶⁰ In Ireland, there is a system of ‘special voting’, where special presiding officers are accompanied by the police to bring the ballot paper to the voter. Austria has initiated ‘flying election commissions’ for those whose mobility is impaired and who cannot access the polling station.¹⁶¹ Similarly, in Croatia, there are special voting stations in hospitals. Five Member States (Estonia, Finland, Portugal, Slovenia and Sweden) allow voters to cast their ballots in advance, which could help in cases where the hospitalisation has been planned.

People in care homes

Voters in care homes are among the most vulnerable due to the COVID-19 pandemic.. They are at a particularly high risk when exercising their right to vote at in-person polling stations. Austria, Denmark, Germany, Ireland, Lithuania, Luxembourg, the Netherlands, Poland, Slovenia and Spain allow these voters to vote via post, which offers an effective way of ensuring a safe voting practice for this category of voters. Similarly, in Belgium, France,

¹⁶⁰ “Republic of Cyprus: Parliamentary Elections 30 May 2021.” Office for Democratic Institutions and Human Rights. 18 March 2021. <https://www.osce.org/files/f/documents/d/c/481552.pdf>.

¹⁶¹ “Elections in Austria.” Bundesministerium Inneres. https://www.bmi.gv.at/412_english/start.aspx#pk_04a.



Netherlands and Poland, these voters can assign a proxy to vote on their behalf. Mobile and special voting stations that can go to where the voters are located are available in Austria, Bulgaria, Croatia, Czech Republic, Denmark, Hungary, Ireland, Italy, Latvia, Romania, Slovakia and Sweden. This can be potentially risky in pandemic times if not accompanied by proper hygiene measures.

Temporary cross border care workers

In many Member States, private and institutional care for elderly persons relies heavily on temporary care workers from Central and Eastern European Member States or from nearby third countries. Furthermore, the pandemic has increased the stress on healthcare systems, and several Member States have sent teams of doctors and care workers across borders to areas most burdened by the health crisis.¹⁶² The European Commission has issued “Guidelines on EU Emergency Assistance in Cross-Border Cooperation in Healthcare related to the COVID-19 crisis” and called for a coordinated approach in cross-border health care.¹⁶³ All Member States – except Malta and the Czech Republic – provide remote voting options for citizens abroad. Austria, Belgium, Denmark, Finland, France, Germany, Hungary, Ireland, Latvia, Luxembourg, the Netherlands, Poland, Portugal, Slovakia, Spain and Sweden offer a postal voting option. Austria, Belgium, Bulgaria, Croatia, Cyprus, Greece (for EP elections), Italy (for EP elections), Latvia, Lithuania, Poland, Romania, Slovenia and Sweden allow voters who are abroad to vote in-person at embassies or consular services. Estonian, Portuguese and Slovenian citizens can cast their vote in advance of election day. However, the effectiveness of this option for temporary care workers would depend on the timing of the election and when the voter had left the country. To ensure the enfranchisement of this category of voter, advanced voting would therefore need to be supplemented with other remote voting options.

¹⁶² “European solidarity in action.” European Council. 22 March 2021. <https://www.consilium.europa.eu/en/policies/coronavirus/european-solidarity-in-action/>.

¹⁶³ “Guidelines on EU Emergency Assistance in Cross-Border Cooperation in Healthcare related to the COVID-19 crisis.” European Commission Communication. 3 April 2020. https://ec.europa.eu/info/sites/default/files/guidelines_on_eu_emergency_assistance_in_cross-bordercooperationin_healthcare_related_to_the_covid-19_crisis.pdf.



Electronic Voting

The COVID-19 pandemic has highlighted the need to further develop and discuss the implementation of e-voting. Several Member States have conducted trials into electronic voting; most recently, as discussed above, Lithuania has approved the use of e-voting for future elections. One of the benefits of e-voting – particularly during a health crisis – is that voters can cast their vote without being tied to a specific location. E-voting would allow vulnerable categories of voters, voters in quarantine or voters abroad to be able to vote from their respective locations. Even so, Member States have different electoral cultures, infrastructures and resources for safe e-voting.¹⁶⁴ New voting methods also ought to be adopted and implemented between six months and one year prior to election day, in order to uphold the principle of electoral law stability.¹⁶⁵ The 2018 Study on Remote Voting Methods highlighted the numerous security- and trust-related risks. Furthermore, there are multiple risks of voter disenfranchisement. First, if not implemented with a view to the needs of persons with disabilities, e-voting may further hinder their participation.¹⁶⁶ Second, there is the risk of a generation gap, since technological solutions may be inaccessible for older people or those who are vulnerable to illness. Hence, an inclusive electoral environment would implement e-voting as a complementary remote voting method, rather than replace ballot boxes with electronic devices.

¹⁶⁴ For example, in setting up voter-identification processes.

¹⁶⁵ “Elections need to be accessible for the ill during COVID-19 to avoid disenfranchisement.” IDEA Commentary, 29 October 2020. <https://www.idea.int/news-media/news/elections-need-be-accessible-ill-during-covid-19-avoid-disenfranchisement>.

¹⁶⁶ See Prof. Dr. H. Schneider and S. Sivonen, Type A Study - Political Participation of Persons with Disabilities (2021).



6. Conclusions and recommendations

This report presents an overview of the legislative developments and electoral practices in remote voting. It builds on the 2018 “Study on the Benefits and Drawbacks of Remote Voting”, and in particular explores the range of remote voting methods deployed in elections held during the COVID-19 pandemic. Each remote voting method has its unique challenges in varying contexts. The success of each largely depends on the institutional, economic and cultural context in different Member States, as well as their demographic idiosyncrasies. Even so, in times of pandemic, the following voting methods – postal voting, mobile voting, and proxy voting – have been the most widely used and have helped ensure inclusion and safety for voters across Europe.

Based on the research conducted for this study, and following consultation with GLOBALCIT country experts, the following recommendations would enhance electoral inclusiveness, equality, integrity and participation. The recommendations are not strictly limited to the EU’s competence within the Treaties, but rather focus on voting modalities that would best guarantee an inclusive and safe environment for European citizens to exercise their right to vote.

Inclusive environment

Fostering an inclusive environment helps ensure that the greatest number of people can exercise their right to vote in a democratic society. A priority of the 2020 EU Citizenship Report is to enhance democratic participation and inclusion.¹⁶⁷ Furthermore, there is a current European Commission initiative to update Directives 93/109/EC and 94/80/EC in order to support the right of EU citizens to vote and to stand as candidates in other EU countries.¹⁶⁸ Based on the findings of this report, we offer five recommendations to Member States for planning or implementing remote voting methods in future elections:

¹⁶⁷ “EU Citizenship Report: empowering citizens and protecting their rights,” European Commission, 15 December 2020, https://ec.europa.eu/commission/presscorner/detail/en/ip_20_2395.

¹⁶⁸ “Inclusive EU Parliament elections – supporting EU citizens’ right to vote and stand as candidates in another EU country.” European Commission. https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12684-Inclusive-EU-Parliament-elections-supporting-EU-citizens%E2%80%99-right-to-vote-and-stand-as-candidates-in-another-EU-country_en.



- (1) Available voting options should, as much as possible, reflect the preferences of all voters. Certain voters may prefer traditional voting at in-person polling stations. Therefore, remote voting methods should complement, rather than replace, existing ones. There are different degrees of trust for the various remote voting options in each Member State and within the voting population (as indicated in the 2018 Remote Voting Study). Member States should therefore respond to the needs and preferences of their voting population. In parallel, Member States can educate voters on the various available voting options, to help increase trust and ensure the integrity of the vote.
- (2) New options should reflect the institutional capacity of the Member State and its unique voting culture. Some remote voting methods will encounter feasibility issues if the necessary infrastructure is not already in place. For example, in order to implement or expand postal voting, the Member State would need to be able to depend on a robust and reliable postal service. Before implementing a new remote voting method, Member States should assess the available logistical capacity for the required infrastructure.
- (3) As shown by various cases presented in this report, Member States were challenged to implement or expand remote voting methods before elections in 2020-2021. Any new changes should be combined with a realistic and incremental implementation plan. This includes design, timeframe, and pilot testing (particularly in the case of e-voting). A progressive implementation plan will help build trust among voters and ensure the legitimacy of electoral results.
- (4) The adoption of special voting arrangements should be designed, from the outset, with the needs of the most vulnerable in mind. Voters with a disability are already at risk of feeling disenfranchised; remote voting methods can help to ensure their equal participation in the democratic process. However, if they are not considered during the design process for new voting methods, voters with a disability may face further exclusion. For example, e-voting options should come with audible instructions for the visually impaired, and should not be overly technically challenging, so as to remain inclusive for other categories of voters that may encounter barriers for voting online.
- (5) There should be a special approach for quarantined voters and those infected with COVID-19, both within the country and abroad. Member States should consider that some of their voters will not be able to vote in-person on election day due to quarantine.



Thus, remote voting solutions that are relatively flexible and responsive to rapidly changing situations will help guarantee the participation of quarantined or sick voters.

Safe environment

The COVID-19 pandemic has brought a new set of challenges to exercising the right to vote without creating unnecessary risks to the health and safety of voters. The four recommendations that follow are designed to help Member States organise elections in the safest possible way during health emergencies:

- (1) Voting options should reduce direct contact between voters and poll workers as much as possible. Therefore, to complement in-person polling stations, at least one remote voting option should be made available to all voters. As a second-best option, special remote voting options should be made available to vulnerable categories of voters.
- (2) In-person polling stations should practice safe distancing measures between voters, respecting a maximum number of persons per square meter. Furthermore, polling stations should enforce strict hygiene measures such as mandatory mask wearing and sanitising voting tools.
- (3) To help reduce the number of people at polling stations on election day, advance or early voting options should be made available. This will allow at least a part of the voting population to cast their ballots prior to election day, thus minimising the risk of crowds and help keep voters and poll workers safe.
- (4) Organisers should ensure the safe conduct of activities through the entire election cycle. This includes organising and planning beyond election day in areas such as registration of voters, recruitment of poll workers, election campaigning and counting ballots.

This report has focused on national voting traditions and on States' expansion (or contraction) of remote voting practices in the light of the recent public health emergency. However, in an EU context, remote voting has an intrinsic transnational element. As a result, remote voting options, such as postal voting, would benefit from transnational cooperation and the development of a set of common standards, such as best practices in ensuring the confidentiality of the ballot. One future possibility for enhancing the postal voting method is



through coordination of Member States' postal services; this would help overcome some of the logistical challenges posed by voting from abroad. This could include (1) measures to ensure that voting material is received promptly enough to allow the voter to complete and return their ballot within election deadlines and (2) measures to preserve the integrity of the vote. For electronic voting, substantial technology and infrastructure already exists that is capable of guaranteeing a high level of security.¹⁶⁹ Member States could explore the potential of electronic voting by investing in voting technology and implementing collaborative security standards, which could reduce overall costs and increase impact.

¹⁶⁹ See for instance: K.M Khan, et al., "Secure digital voting system based on blockchain technology", *International Journal of Electronic Government Research (IJEGR)*, 14(1), 2020, pp.53-62; M.A. Busuioc, "Blockchain: Use of Technology to Increase Citizens' Engagement with European Union Democracy", *Leeds Student L. & Crim. Just. Rev.*, 1, 2021.