



AN COINBHINSIÚN AR AN mBUNREACTH
THE CONVENTION ON THE CONSTITUTION

Fifth Report of the Convention on the Constitution

**Amending the Constitution to give
citizens resident outside the State
the right to vote in Presidential
elections at Irish embassies, or
otherwise**

November, 2013

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1. Chairman's Introduction

Introduction

On the weekend of 28-29 September, 2013, the Convention held its sixth plenary meeting to discuss issues in the terms of reference set out in the Resolution of the Houses of the Oireachtas (Appendix A).

Background

Membership of the Constitutional Convention comprises 66 citizens, 33 parliamentarians and an independent Chairman. The 66 citizens were selected randomly by a polling company using the electoral register and on the basis of groups representative of Irish society and generally balanced in terms of gender, age, region, social class and occupational status.

Political parties and groups in Dáil Éireann and Seanad Éireann nominated representatives on the basis of their relative strengths in the Oireachtas. Political parties represented in the Northern Ireland Assembly were invited to nominate one representative each.

The Convention has been asked to complete its work within 12 months of its first plenary meeting in January, 2013.

The Government has committed to responding to the various recommendations of the Constitutional Convention within four months of the publication of its reports and will arrange a full debate in the Houses of the Oireachtas in each case.

In the event that the Government accepts a recommendation that the Constitution be amended, it will include a timeframe for the holding of the referendum.

Sixth Plenary Meeting

The purpose of this meeting was to consider amending the Constitution to give citizens resident outside the State the right to vote in Presidential elections at Irish embassies, or otherwise.

Over two days, the Convention considered a huge volume of submissions from members of the public and heard presentations from experienced academic and legal experts as well as from advocacy groups. An important feature of the Convention's working arrangements is that members also spent considerable time in small roundtable discussions, teasing out the detail of the issue. The outcome of these discussions was then reported back to the full Convention so that all members got the benefit of group deliberations at individual tables.

As we work through our year-long programme, the Convention continues to learn about the best way of conducting our business as we try to enhance the experience

for Convention members and demonstrate that this model of deliberative democracy can achieve its ambitious objectives.

On this occasion, the Convention members were particularly pleased to have had the opportunity during a spectacular videoconference to hear from representatives of the Irish Communities in Australia, Germany, France, Canada and the United States of America.

The session on Northern Ireland also left a lasting impression on the Convention members as they heard a number of detailed insights from the Convention members from the Northern Ireland Assembly and other contributors from Northern Ireland.

Recommendations

The result of the ballot was that a clear majority of Convention members favoured a change to the Constitution to give citizens resident outside the State the right to vote in presidential elections.

A number of other issues also arose during the course of the discussion which did not feature in the final ballot paper. The Convention felt that it was important that all views (including minority opinion) be heard in this debate and agreed to reflect the content of these discussions in the final report.

This Report will be laid in the library of the Houses of the Oireachtas and I look forward to the government response within 4 months.

Acknowledgments

I would first like to congratulate all members of the Convention for their hard work and obvious commitment to the task at hand. The quality of the discussions and the spirit in which they engaged with each other was the foundation for the success of the weekend.

I am grateful to those many members of the public who sent submissions to the Convention, as well as those who watched online from around the world.

I would like to thank the Academic and Legal Team, led by Prof. David Farrell, for assembling our advisory panel of experts and for their advice and support in advance of, and during, the meeting. The other members of the team are Dr. Jane Suiter, Dr. Clodagh Harris, Lia O'Hegarty and Dr. Eoin O'Malley. They were ably assisted in their work by two interns, Colm Byrne and Paul Deane.

The Convention members were impressed by the presentations of Dr. Iseult Honahan, Dr. Theresa Reidy, Dr. Piaras MacEinri and Declan Smyth from the Central Statistics Office, all of whom willingly shared an impressive depth of knowledge in clear and concise language. Thanks also to Richard Humphreys SC for giving the

Convention the benefit of his expertise at short notice. Their wisdom forms an important part of this report.

One of the more obvious highlights of this meeting were the contributions of our citizens outside the State – we are particularly grateful to Prof. Rónán McDonald, David Dempsey, Paul Lynch, John Murphy, Dr. Susan Cahill, Prof. Mary Hickman and Ryan Feeney who took part in a most engaging panel discussion across 17 time-zones.

The Convention members were also very grateful to Professor Colin Harvey and Dr. John Garry, both from Queen’s University Belfast, who made very engaging presentations on the implications of the proposal as it might apply to those living in Northern Ireland .

I would also like to thank Jennie McShannon (CEO, Irish in Britain) and Brian Reynolds (Ballotbox.ie) who took the time to make detailed presentations to the Convention and give us the benefit of their views and experience. Special thanks also goes to Dr. Paul Connors who, at short notice, presented a summary of the arguments against the proposal.

Many thanks to Erin Baumann for a personal insight from an American perspective into the practical issues associated with managing an election abroad.

The technical demands of this particular meeting were immense and we stand in awe at the spectacular skills of Conor and Ciara and the Pi Communications team, Matthew Ryan and Grand Hotel team, Gerry from CSS Audiovisual and Noel Gallagher and Frank Gibbons from the Department of Foreign Affairs, without whom none of the “whizzbangery” would have been possible

Finally, can I also thank the Chairman of “The Gathering”, Mr. Tim O’Connor, for his truly wonderful reflective piece on the personal nature of emigration, the lives of our Diaspora and the special part they play in Irish Communities across the world. I would encourage all readers with an interest in this issue to look at Tim’s contribution here:

<https://www.constitution.ie/ConventionVideos.aspx?cid=40>

Tom Arnold
Chairman

2. Convention Recommendations

Following a lengthy discussion of the detail of the ballot paper below, including the consideration of a number of alternatives, the members of the Convention agreed to make recommendations on the following issues – the content and nature of the discussion can be seen in more detail in Chapter 7:

	Yes	No	Undecided/ No opinion
Should citizens resident outside the State have the right to vote in Presidential elections?	78%	21%	1%

	Yes	No	Undecided/ No opinion
Should citizens resident in Northern Ireland have the right to vote in Presidential elections?	73%	20%	7%

Which of these citizens living outside the island of Ireland should have the right to vote in Presidential elections? (Mark X in ONE box)

All Irish citizens resident outside the island of Ireland	36%
Just citizens who have lived in Republic of Ireland.	26%
Just citizens who have lived in Republic of Ireland as adults and who have left for a period of time (see below)	27%
Undecided/No opinion	11%

If there should be a time limit on how long citizens resident outside of the island of Ireland can have a vote, what should that be? (Mark X in ONE box)

No time limit	Voting rights only for 5 years abroad or less	10 years	15 years	20 years	25 years
38%	14%	17%	20%	6%	4%

3. Convention Programme



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9.15 a.m. Welcome by Chair

Presentations

9.25a.m. Principles relating to votes for citizens outside the State –
Dr. Iseult Honahan, UCD

9.40a.m. International comparisons – Dr. Theresa Reidy, UCC

9.55 am Q&A

10.05 a.m. Emigration and attitudes of migrants – Piaras MacEinri, UCC

10.20 am Statistics and trends – Declan Smyth, Central Statistics Office

10.35 am Q&A

11 a.m.

“Other Voices” – a Global Panel Discussion:

Prof. Rónán McDonald, Global Irish Studies Centre University of New South Wales, Sydney

David Dempsey, President of the Irish Business Network, Germany

Paul Lynch, Co-founder Paris Gaels GAA Club and Paris GOAL Ball Organiser

John Murphy, Co-Chairman, Irish Network USA

Dr. Susan Cahill, School of Canadian Irish Studies (Concordia University, Montreal)

Prof. Mary Hickman, Centre for Irish Studies, St Mary’s University College, London

Ryan Feeney, Director of Strategy and Public Affairs for Ulster GAA

11.50am Roundtable discussions

1.45 p.m. Plenary session - participants to hear the emerging themes from the discussion at other tables

2.15 p.m. ***Presentations by Advocates***

For the proposal:

- Jennie McShannon, CEO, Irish in Britain

- Brian Reynolds, Ballotbox.ie

Against the proposal:

– Dr. Paul Connors BL, presented a summary of the public submissions against the proposal

- 2.45 p.m. **Northern Ireland**
- Legal/Constitutional position – Prof. Colin Harvey, QUB
- Voting patterns – Dr John Garry, QUB
- Views from MLA Convention members
- 3.45 pm How does it work in practice? Presentation by Erin Baumann, UCD of
the submission by the US Embassy
- 4 p.m. Roundtable Discussion
- Sunday**
- 10a.m. Summary and emerging themes from previous sessions
- 10.30 a.m. Agree ballot paper
- 11 a.m. Reflections – Tim O’Connor, Chairman of ‘The Gathering ‘
- 11.15 am Final Q&A
- 12 noon *Private Session*: Convention business
- 12.50 p.m. Announcement of Results

4. Amending the Constitution to give citizens resident outside the State the right to vote in Presidential elections at Irish embassies, or otherwise

Expert Presentations:

4.1 Principles relating to votes for citizens outside the State – Dr. Iseult Honahan, UCD

1. Introduction

Who should have the right to vote, and why? On what grounds should people be entitled to a say in a particular political arena? The question whether Irish citizens abroad should have votes in presidential elections raises these more fundamental normative issues.

The answer cannot be as simple as saying that all citizens should have the right to vote. Citizenship is not a matter of a single and indivisible membership of a particular territorial polity, but a bundle of rights and duties that have changed over time, and can be different for different people. Its benefits include state protection abroad, the right to return, and full symbolic membership; these are important for people, such as, for example, young children, who may not meet the criteria for a right to political participation. Moreover, as the jurisdiction of each state is territorially bounded, the position of citizens abroad is inherently different from that of citizens at home.

Secondly, historical descent, national identity, cultural affinity or a sense of belonging to the community on their own do not provide a strong ground for citizenship, let alone voting rights, in the contemporary world, given the typical diversity among populations of most states. This would imply the exclusion of those of different origins or cultural identity from citizenship or voting. There may be more appropriate ways to award the recognition warranted for those who share national origins or cultural identity.

So we have to dig deeper to find what warrants political rights, and for whom. In recent years, we have seen the emergence of ‘disaggregated’ citizenship, in which in many countries immigrants gain some, usually local, voting rights before they are eligible for citizenship, and voting rights have increasingly been extended to citizens living abroad. But for what reasons, and under what circumstances should citizens abroad have voting rights?

2. Grounds for granting voting rights

There are several accounts advancing different principles as the appropriate basis for granting political rights in a democracy.

a) The all-contributing principle

The first approach sees some concrete *contribution* to the collective life of the polity as the basis for the right to vote. Paying taxes is often offered as a key example here; on the basis of the maxim, 'no taxation without representation', those who contribute to the state through taxation should be able to have a say in who rules them.

Apart from difficulties in deciding what kind of contribution is sufficient to warrant a vote on this basis, there is a more fundamental problem with the 'contribution' principle: it excludes older people and those with disabilities, who may be unable to contribute economically, but who are clearly members of the political community who deserve political rights. Conversely, non-citizens in other countries may make large investments or charitable donations in a country, but in general it is not thought that all these should have the right to vote and determine policies there. Thus a contribution principle is both under-inclusive and over-inclusive in defining the demos.

It may be argued that it is not people's contributions, but the impact of law and government on their lives that is recognised in awarding them a vote, giving them a chance to bring their government to account and shape the laws determining their common future.

In any case, if contribution is taken as the guiding principle, there may seem to be little basis for granting votes to external citizens, as, in general, external citizens are not liable to pay taxes (the USA is an exception). Some argue, however, that emigrants do contribute through the quite substantial remittances that they typically send home. But such remittances are not contributions to the state, being voluntary personal payments, and thus more like charitable donations than paying taxes. Even if some recognition for an economic contribution is warranted, this does not explain why it should be a political voice rather than some other form of recognition.

b) The all-affected principle

In order to give people some control over the things that determine their lives, the second argument sees the right to vote as properly belonging to those who are *affected by* the laws and policies. This 'all-affected' principle has the attraction of including disabled and older members, who may not contribute economically, and also recognising the spill-over effects of government across state boundaries. It thus seems an important consideration in the case of environmental issues, for example.

This principle does not, however, provide a clear criterion for distinguishing between those whose lives and central interests are directly and substantially affected and those more marginally affected by a country's laws and policies. If I live just across the border from a dangerous nuclear power plant, perhaps I should have some say, because this could be a matter of life or death. But if I have to change my diet a little

because another state limits salmon farming there, it is hard to see that I have a right to a vote in that country.

This principle may give some basis for granting rights to citizens abroad if it can be shown that they are particularly affected by their state's laws and policies, but this would not be a stronger ground than for citizens of other countries affected by the state's actions, and would require specifying what kind and degree of affectedness would add up to justifying a grant of political rights.

c) The all-subjected principle

The third argument sees being *subject to government* as the basis for a right to participate. The 'all-subjected' principle is based on the idea that the coercion exercised by governments is legitimate only if those coerced have the right to a say in the way laws are made and implemented, and can bring government to account. Being subject to political rule may be seen as a specific and particularly significant way of being affected.

Since those who live in a state are the people most immediately and comprehensively subject to its laws, the 'all subjected' principle appears to support limiting voting rights to residents only (whether citizens or others). Some theorists thus suggest that citizens who live abroad have no right to a vote, and furthermore, that it would be illegitimate to give them votes in a democracy. It has been pointed out, however, that citizens abroad are subject to some of the state's laws and policies – for example, concerning the award, retention and transmission of citizenship itself, and diplomatic protection abroad – so that perhaps they should have a right to participate in decisions on these matters at least.

Enforced exile may also be seen as an extreme form of subjection, thus warranting a right to vote for refugees and displaced persons in states in transition. But these can be seen as a special case. To see economic migrants as subjected may be to stretch the concept of subjection or force rather far. It has also been argued that citizens abroad should have votes as a form of compensation for having been driven out of the country. But against this, and, as in the response to the 'contribution' argument, we may recognise that voting is properly required not as a form of compensation for past wrongs, but as a means of having a political voice in matters that determine one's future.

While 'subjection' thus has considerable appeal as a clear and cogent basis for voting rights, it is, in turn, too inclusive as a basis for voting rights, as it does not exclude tourists and temporary visitors. It seems that what is needed is a definition that includes those and only those who are significantly interdependent on a continuing basis in their joint subjection to the state.

d) The stakeholder principle

The final account outlined here sees just such long-term connections with the polity as the basis for the right to vote - the 'stakeholder' principle. This holds that those who have significant life-long connections in a state, and whose interests are bound up with the future good of that polity, should have a right to vote. The application of this principle is less clear-cut than subjection, but less vague than affectedness. Evidence of a stake in a polity can be found in a person's living there (even if they are not citizens) or having lived there (having being subjected), while still having family or other substantial connections, and maintaining the possibility of return and an orientation to a common future in the polity. It should be noted also that this principle emphasises interconnection with the polity rather than more general social contacts.

This account offers support for granting votes to some citizens abroad – namely those who have lived in the country at some time, and who may return there in the future. It acknowledges that people may remain interconnected with a polity even after many years, particularly under modern conditions of frequent travel and direct communication. However it excludes second-generation citizens who have inherited their citizenship but have never lived in the country. It might also require some kind of demonstration of commitment- such as regular registration to vote - from first generation emigrants.

On this view it is not *required* to grant votes to citizens abroad, as it would be if they were understood as actually subjected; but it is permissible for citizens of a state to decide to grant them votes without breaching democratic principles. Furthermore, it does not mean that the votes of citizens abroad have to carry the same weight as those of resident citizens, since the stake emigrants have in the country may be seen as less substantial.

3. Some general objections to votes for citizens abroad

Several objections to granting votes to citizens abroad on normative grounds should be addressed briefly.

Double voting

This will arise mainly, but not exclusively with respect to dual citizens who have naturalised in their new country of residence. Here the objection is that allowing someone to vote in their country of residence and their country of citizenship would breach the principle of electoral equality: one person, one vote. But this principle means that no one should have more than one in a single institution; it does not mean that they should not be able to vote in two different electoral contexts in which they may have interests at stake. Thus, as a long term resident in one country and a stakeholding citizen of another, they could justifiably hold voting rights in both. (If, however, the elections in the two countries are for the same institution, as for example in elections for the European Parliament, a person should not have a

vote in two countries, as this would amount to two votes in the same electoral context.)

The size of the external vote

In small countries of large-scale emigration, votes for citizens abroad may seem to raise the spectre of the external vote dominating the domestic vote.

It has been pointed out that two different scenarios may arise here. In the first, the external electorate is potentially larger than the domestic electorate, and may threaten to swamp it, determining laws and policies whose consequences they would not bear. In the second case, the external electorate may be smaller but still capable of causing a swing in the vote. To avoid the swamping scenario, one solution is to grant votes to citizens abroad, but to reduce their relative weight by, for example, counting the votes within one or more separate, or reserved, constituencies. The second, tipping, case may be seen as more likely but less serious, as any other group of voters may also constitute a tipping force; nonetheless, concern about the tipping power of external voters can be allayed if the external vote is generally *not* concentrated in a single constituency, but distributed across domestic constituencies.

Knowledge

Another objection is that emigrants lack the necessary knowledge of national politics to participate meaningfully, and that, for this or other reasons, emigrants are more likely to have outdated or distorted views of public affairs, or to be mobilised to support extreme movements. But being knowledgeable, informed or moderate are not required or guaranteed among resident citizens. It is also clear that expatriates today can better maintain contacts and keep abreast of political developments through television, mobile phone and internet, and are more likely to make frequent return visits. Thus, whatever about the past, such arguments carry less weight today, at least with respect to first-generation emigrants.

4. Conclusion

While there may not be grounds for an absolute right to vote for citizens abroad, there are some strong arguments for granting votes at least to first generation emigrants in ways that do not swamp resident citizens' votes. The strongest grounds for this seem to lie in two sets of arguments: the extent to which they share some of the subjection of resident citizens, and the stake that they maintain in their country of citizenship over a life time through the interconnections with the future good of the polity. Both of these arguments carry more weight than claims based on shared national identity or descent, or a sense of cultural belonging. These political rights are designed to provide a say in matters that determine the citizens' future life, rather than a return for a contribution, compensation for a wrong, or recognising or fostering a sense of belonging among the diaspora.

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Appendix: Votes for Irish citizens in Northern Ireland

The arguments above have application not only to emigrants, but also to other citizens living outside the jurisdiction of the state. There are many cases of states with significant numbers of citizens living outside their borders, often in neighbouring states. These external citizen bodies are often long-standing, arising from historical population movements, border changes, or both. These are another example of the ways in which the model of a world of self-contained polities does not fit the reality of multiple and shifting connections across states.

The question whether minorities with close ties to neighbouring polities should be given citizenship and/or votes in the country in question arises in many different contexts. It may be argued that what is of central importance is that such minorities should gain full political rights in the state in which they live rather than gaining votes in another jurisdiction. It has also been noted that such voting may have a problematic effect if the external vote is concentrated in a distinctive bloc in a way that may be more likely than in the case of dispersed emigrants voting abroad. Each of these situations is different, however, and it is suggested that context-sensitive solutions rather than universal prescriptions are required.

Here I outline briefly how the *subjection* and *stakeholding* principles (which have emerged as the most plausible grounds for granting votes in the discussion above) might be applied to Irish citizens in Northern Ireland.

On one view, citizens in Northern Ireland may be seen as living in a separate jurisdiction, and thus qualifying no more than emigrants under the *subjection* principle. Yet it could also be argued that increasing co-operation between the

jurisdictions, and the existence of many cross border institutions, especially since the Good Friday/Belfast Agreement, such as, for example, the North–South Ministerial Council, may amount to an emergent form of overarching subjection in an interconnected set of polities. This could warrant granting votes of some kind in the Republic to those living in Northern Ireland (in addition to certain parallel votes on matters which concern all on the island, as in the Good Friday referendum). This would not, it should be noted, provide a basis for differentiating between Irish citizens and others in Northern Ireland, as arguments based on national identity or cultural affinity might.

Approached from a *stakeholder* perspective, the relevant criterion would be the extent to which Irish citizens (and others) living in Northern Ireland can be seen as having the objective, long-term interconnected interests in the future of the polity that warrant granting a vote. In this case this would have to take into account the fact that they do not live, and (unlike the first generation emigrant), have not lived, and normally will not in the future live in the Republic, and thus be comprehensively subject to its laws and policies. If, however, the interconnections of the polities is seen as sufficiently substantial, it could be thought that those living in Northern Ireland count as stakeholders, warranting a vote of some kind and at some level.

Though different from the case of emigrants abroad, accordingly, principles of subjection and stakeholding could perhaps suggest a ground for voting rights for those living in Northern Ireland different from citizenship per se, common descent or heritage, or a sense of belonging, if these are not seen as providing strong grounds for inclusion.

4.2 International comparisons – Dr. Theresa Reidy, UCC

Background

External voting refers to the voting rights which citizens, residing outside of their country of citizenship, have in elections, in their country of citizenship. The voting rights of emigrants are variously referred to as non-resident voting, out of country voting, absentee voting, external voting and votes for emigrants. These terms are often used interchangeably and have the same meaning.

The Council of Europe (CoE) in its (2011) report on Out of Country Voting states that extending the right to vote to citizens, resident outside of their country, is essentially a question of principle. It goes on to say that if a country makes the decision to extend voting rights, it must then look at the specifics of how this practice will be managed. A country must decide which citizens will receive voting rights, at which elections, and by what means. Similar resonances are to be found in the recommendations of the White Paper (2012) of the International Foundation for Electoral Systems (IFES) which further suggests that countries interested in extending voting rights to non resident citizens should hold public consultation processes and importantly, should engage with their Diaspora communities. They also recommend that public expectations should be carefully managed and that the costs and consequences of external voting should be given full consideration.

The granting of voting rights to emigrant citizens has been on the increase since the 1970s. There were a small number of countries or territories which extended voting rights to non residents by the early twentieth century (Wisconsin, Iceland) but widespread extension of voting rights did not begin until the 1970s. Bauböck (2005) explains that from the 1970s there was a change in the attitude of many countries to their Diaspora communities. Emigrant communities abroad began to be acknowledged as having potential to provide political influence in their new countries of residence, they were identified as an important source of remittances and also as a potential source of inward investment back into their home countries. Lower cost air travel and the revolution in telecommunication technology have made it much easier for citizens across the globe to maintain close links with their home countries.

The 1970s can also be used as a starting point for discussing the transformation in global migration patterns. The growth in transnational business and international organisations resulted in a major increase in the number of people residing temporarily or permanently outside their home country. Students and tourists contribute greatly to global migration movements and in more tragic circumstances, large numbers of people have also been displaced by national and international conflicts.

The world's citizens are increasingly mobile and the manner in which their fundamental citizenship rights are developed and vindicated is a matter of importance and has been the subject of numerous reports and recommendations from International Organisations, Lobby Groups and Think Tanks. The ideas of

universal suffrage and electoral justice underpin the debates on external voting rights.

External Voting Rights Around the World

The voting rights of citizens are usually protected in national constitutions but the specific details and practicalities of when and where someone can vote are often described in legislation. A small majority of the world's nations extend voting rights to their emigrant citizens. Unusually, authoritarian regimes have been as likely as democracies to extend voting rights to citizens abroad. In most countries, the right to an external vote derives from a period of residency in the country; and may expire after a set period outside the state; although there are also a small number of countries who offer external voting to citizens who have never been resident in their country of citizenship.

In 2007 the Institute for Democracy and Electoral Assistance (IDEA) produced a report which counted 115 countries with external voting rights. They reported a wide geographical spread as indicated in the list below.

Africa	28
The Americas	16
Europe	41
Oceania	10
Asia	20

More recent figures suggest that there are now just over 70 countries which do not enfranchise their citizens living outside the national territory. The countries that do not allow their emigrant citizens to vote include the Republic of Ireland, Israel, and India. The appendix includes some tables and a map of voting rights from the IDEA report which outline more specific information on individual countries.

Issues to Consider when Extending Voting Rights

There is considerable variation in how countries operate external voting rights. Returning to the report of the Institute for Democracy and Electoral Assistance (2007), they identify three features which need to be considered. These can be summarised as:

1. Are voting rights extended to all citizens living abroad or are voting rights restricted to certain groups of citizens (such as diplomats or members of the military)?
2. Can citizens vote in some, or all, elections?
3. How do citizens vote when they are abroad? What procedures are in place?

Are voting rights extended to all citizens living abroad or is the vote restricted to certain groups of citizens (such as diplomats or members of the military)?

Countries may restrict the voting rights of citizens abroad in a number of ways. The franchise may be extended to small groups of voters. Typically, these groups will include the military, the diplomatic service, public servants working abroad and other categories of citizens who may be temporarily resident in another country.

In some cases, there may be an upper time limit on the number of years a person may have spent outside of the country, i.e., voting rights may expire. The United Kingdom, Australia and Germany all have expiry limits on the external voting rights of their citizens. Table 1.5 from the IDEA (2007) report is included in the appendix and provides further examples of the time restrictions which are imposed by countries.

Geographic or other logistical conditions may be applied. Countries may restrict voting rights to citizens living in neighbouring states or they may require a critical mass of voters in a particular state before non-resident voting rights are extended to citizens living in that country. A number of African countries fall into this category.

Can citizens vote in some, or all, elections?

Countries may allow citizens to vote in all elections or certain categories of elections. Restrictions are common and the international experience is that citizens are most likely to be offered external voting rights at national elections such as parliamentary or presidential elections. The Council of Europe provides an overview of the different approaches adopted by European countries. One of their summary tables is included in the appendix.

How do citizens vote when they are abroad? What procedures are in place?

Countries may offer just one mode of external voting or a combination. There are four broad options and these are outlined below along with some strengths and limitations for each method.

Postal Voting is common and provided in Norway, Canada and Switzerland. Voters receive and return their ballot by post. Postal ballots are convenient, allowing voters to cast their ballot at a time of their own choosing, they guarantee ballot secrecy and are relatively low cost. However, the reliability of the postal system is not comparable in all countries and distribution and return of ballots may often be required within a short time period.

In Person Voting - Many countries organise polling stations at international locations (usually at a country's embassy) and voters are offered the opportunity to vote in person. This ensures the secrecy of the ballot but it imposes an additional burden on the voter who may have to travel a long distance to their nearest embassy or consular office. The method works well for countries with an extensive network of embassies and consular offices but may not be suitable for countries without these resources.

Proxy Voting allows a voter abroad to nominate someone to cast their vote at a polling station in their own country. This is the most low cost and logistically straightforward mechanism of external voting but the major difficulty with it is that it compromises the secrecy of the ballot.

E-Voting - Technological advances have increased the number of options that fall into the overall category of electronic voting but their use remains unusual. The major reason is that the security of these systems, and voter confidence in them, can be low. Internet and phone voting are the most prevalent options in this category. There have been internet voting trials in the UK, France and Switzerland but Estonia is the country which has the most developed procedures in place. However, many of these trials have focused on domestic voting but with advances in the future, this method looks set for considerable expansion.

The Practicalities of External Voting

There are a series of further considerations which arise when discussing external voting. Fear of fraud and cost are important elements of the debates on external voting. Beginning with fraud, it is not always possible to guarantee voter protections and standards outside of a country. External voters will face a myriad of different environments and it can be a challenge for a country to provide reasonably equal voting opportunities for all of its external citizens. Governments may not be in a position to ensure that voters will be able to exercise a free vote. It is usually not possible to observe external voting and additionally, the election administration structure and officials are not on site, making opportunities for, and perceptions of, fraud higher than in-country voting.

The costs of external voting vary in accordance with the method selected but in all cases, providing the option incurs an additional cost for a country. An International Foundation for Electoral Systems (IFES) White Paper (2012) reports that the costs of in-country voting are usually in the region of \$1 - \$2 per person while for out of country voting, these costs rise to \$5 - \$20. The additional costs incurred for out of country voting may include postal costs, additional administrative costs arising from training of staff, opening consular offices and more complicated voter registration processes.

Finally, there is a significant additional administrative burden associated with external voting; external voting registration and management must be provided through the administrative structures of the home country. An efficient system of electoral administration is required as all ballots have to be cast, recorded and transferred to the country in time for counting, a not inconsiderable feat in some cases. The type of electoral system in operation is an important consideration in the management of the process as some electoral systems and constituency designs (PR-STV with multi-seat constituencies for example) would require that each voter receive the ballot from their home constituency. This ballot must then be returned for counting to the individual's home constituency. Voter registration practices are also influenced by these design issues.

Turnout

External voting is usually extended to citizens abroad to vindicate the full voting rights of all citizens and to increase the base of participation in elections. A small amount of research has been conducted on external voting and some general conclusions can be made. External voters usually account for only a small proportion

of the overall electorate, registration and turnout by external voters tends to be lower than for the general population and there have been few instances where external voters have had a decisive impact on the outcome of an election (IDEA (2007) cite the 2006 Italian election as an exception). In some instances, countries with large Diasporas have opted to provide specific representation in parliament for their external communities. This enhances their overall voice in parliament but constrains the effect which the Diaspora vote might have on the overall outcome of an election.

Conclusion

There are two questions which need to be addressed.

1. Should voting rights be extended for Irish citizens living outside of the Republic of Ireland?

If answering yes to the question above, the following then arises:

2. Are there any restrictions which should be imposed on the external voting right?

Further Information on Voting Rights

ACE – The Electoral Knowledge Network

<http://aceproject.org/ace-en/topics/va/onePage>

CoE - Council of Europe

<http://www.venice.coe.int/webforms/documents/CDL-AD%282011%29022.aspx>

IDEA – Institute for Democracy and Electoral Assistance

http://www.idea.int/publications/voting_from_abroad/index.cfm

IFES - International Foundation for Electoral Systems

www.ifes.org

Alvarez, R. M., Hall, T.E. and Trechsel, A. (2009) 'Internet Voting in Comparative Context, the Case of Estonia', PS: Political Science and Politics, 42 (3).

Baubock, R. (2005) 'Expansive Citizenship: Voting Beyond Territory and Membership', PS: Political Science and Politics, 38 (4).

Blais, A., Massicote, L. and Yoshinka, A. (2001) 'Deciding Who Has the Right to Vote: A Comparative Analysis of Elections Laws', Electoral Studies 20.

Erben, P., Goldsmith, B. and Shujaat, A. (2012) 'Out of Country Voting, A Brief Overview', International Foundations for Electoral Systems White Paper.

Grace, J., (2007) Challenging the Norms and Standards of Election Administration: Standards for External and Absentee Voting, IFES.

Qvortrup, M. (2005) Absentee Voting in a Comparative Perspective: A Preliminary Assessment of the Experiences with Postal Voting. Submission for the Joint Standing Committee on Electoral Matters, Australian Federal Parliament.

Rojas, H. N. () 'A Comparative Study of the Overseas Voting Laws and the Systems of Selected Countries', A Development Associates Occasional Paper in Democracy and Governance.

Ruiz, N. G. (2008) Managing Migration : Lessons from the Philippines. Washington DC: World Bank. <https://openknowledge.worldbank.org/handle/10986/11016>

Appendix – Tables and Charts

Source: IDEA (2007:20)

Table 1.4: Countries and territories which restricted entitlement to an external vote according to activity abroad (14)

Country/territory	Voters
Bangladesh	Only government officers on official duty
Fiji	Only citizens abroad who are carrying out an official or military function, working for an international organization to which the country belongs, studying, or working for a company that it is registered in Fiji
Ghana	Only diplomats, employees of the United Nations and other international organizations, police and military personnel on peacekeeping missions, and students on government scholarships
Guyana	Only employees of the government or any public corporation on duty abroad and students engaged in full-time courses in any foreign educational institution
India	Only members of the armed forces and government servants deployed abroad
Ireland	Only citizens carrying out official missions abroad of a diplomatic or military nature
Israel	Only citizens carrying out official missions abroad of a diplomatic or military nature
Laos	Only for those employed by the state
Lesotho	Only citizens carrying out official missions abroad of a diplomatic or military nature
Malaysia	Only diplomatic officers and students abroad
Mauritius	Only diplomatic staff
Singapore	Only for those employed by the government on fixed contracts
South Africa	Only diplomatic staff and registered voters who are temporarily abroad
Zimbabwe	Only citizens carrying out official missions abroad of a diplomatic or military nature

Source: IDEA (2007: 13)

Table 1.2: Countries where external voting provisions exist but are still to be implemented

Country	Situation
Angola	The electoral legislation from 1992 authorizes citizens living abroad to take part in elections to the legislature, and provides for an electoral register to be established in every diplomatic mission where votes will be cast in person. The law also states that the community abroad will be considered as an electoral district, from which three representatives will be elected to the National Assembly. Its application depends on the presence of the required material conditions and a decision of the National Electoral Commission, which has not yet been made.
Bolivia	From 1991 the electoral legislation provides for a regulation (currently article 97) that establishes that Bolivian citizens living abroad who are eligible to vote will be able to vote for the president and vice-president, and specifies that this right will be regulated by a specific law. A law was passed in the lower chamber of the parliament in December 2005. It is now being discussed in the upper chamber of the parliament. No regulation has been enacted yet.
Greece	The constitution provides the possibility of voting from abroad for national elections by post or 'any other appropriate way', but the law required to apply this provision has still not been passed.

Voting Rights by Country at Different Types of Elections. Source: Council of Europe (2011: 10)

Presidential	Parliamentary	Referendum	European	Local
Algeria	Algeria	Algeria		Algeria
Azerbaijan		Azerbaijan		
Belarus	Belarus	Belarus		Belarus
	Belgium		Belgium	
Brazil		Brazil		
Bulgaria	Bulgaria			
Croatia	Croatia	Croatia	[Croatia]	
	Czech Republic			
	Estonia	Estonia		
Finland	Finland			Finland
France	France	France	France	
Georgia	Georgia			
	Germany		Germany	
	Hungary	Hungary	Hungary	
	Italy	Italy		
Korea	Korea			
Kyrgyzstan	Kyrgyzstan	Kyrgyzstan		
	Latvia	Latvia		
	Liechtenstein	Liechtenstein		Liechtenstein
	Lithuania	Lithuania	Lithuania	Lithuania
	Luxembourg	Luxembourg	Luxembourg	
		Morocco		
Mexico				
Moldova	Moldova	Moldova		
	Monaco			Monaco
	Netherlands		Netherlands	
Peru	Peru	Peru		
Poland	Poland	Poland		
Portugal	Portugal	Portugal	Portugal	
Romania	Romania	Romania	Romania	
Russia	Russia	Russia		
Serbia	Serbia			
	Slovakia			
Slovenia	Slovenia	Slovenia		
	Spain	Spain		Spain
	Sweden	Sweden	Sweden	Sweden
	Switzerland	Switzerland		Switzerland ⁸
"the former Yugoslav Republic of Macedonia"	"the former Yugoslav Republic of Macedonia"			
Tunisia		Tunisia		
Ukraine	Ukraine	Ukraine		
	United Kingdom		United Kingdom	

Source: IDEA 2007

4.3 Emigration and attitudes of migrants – Piaras MacEinri, UCC

The EMIGRE project at University College Cork, 2012/2013

1 Aims

The EMIGRE project, a major exploration of current emigration from Ireland, is funded by the Irish Research Council and aims to discover:

- Who is leaving Ireland today
- Why are people leaving
- Where are they going
- Whether they intend to return to Ireland in the future
- What impact current emigration is having on Irish society
- What are the issues that matter, including voting rights, for today's emigrants
- How does current emigration compare to previous decades, such as the 1980s

2 Emigration Today

Approximately 36,000 people emigrated from Ireland in 2006, of whom just over 15,000 were Irish. Following the crisis of the Irish economy since 2008, the figures for annual emigration have increased substantially. In 2012, over 87,000 emigrated from Ireland, of whom approximately 46,500 were Irish, representing an increase of over 300% on the 2006 figure. Due to the precarious economic situation of the UK, the U.S. and many other EU countries, as well as the difficulty in getting sponsorship (as opposed to a short-term working holiday visa) in locations such as Australia, current emigration trends are quite complex and volatile. Consequently, projects such as EMIGRE are needed to provide a clearer picture of contemporary emigration from Ireland.

3 Who is emigrating

In previous decades marked by emigration, such as the 1950s and the 1980s, the vast majority of people who left Ireland were young. This appears still to be the case today, with approximately 86% of emigrants aged between 15 and 44 years of age. Unlike many other European countries experiencing post-war emigration such as Italy, Portugal, Greece and Spain, males and females left Ireland in the 1950s in roughly equal numbers. In the 1980s, more males left Ireland than females, a trend that is also true of current emigration trends. Just under 80,000 Irish males emigrated from Ireland between 2009 and 2012, whereas the number of Irish females leaving in the same period was 57,000. This notable difference perhaps demonstrates the enormous downturn in the construction industry that has taken place since 2008 – borne out by the fact that the number of males and females is tending to even out. Today, these gender differences appear to be levelling off.

There are also substantial shifts in trends in Irish emigration in terms of educational and socio-economic background, reflecting shifts within Irish society itself but also, perhaps, reflecting the differential impact of globalisation, a process which favours those who are well qualified but also makes working conditions for those who are

less well able to compete in the international labour market a good deal more difficult and competitive.

4 Where are they going

In the 1950s, the vast majority of Irish emigrants headed for Britain (including Scotland). In the 1980s, England was the number one destination but there was a renewed interest in the United States. Current emigrants appear to be going to a huge variety of destinations, including the Middle East and parts of Asia, with Australia and to a lesser extent Canada now figuring prominently. Nonetheless, it is important to keep in mind that many people who leave for locations outside the EU are subject to a variety of more or less restrictive immigration regulations. Between April 2010 and April 2011, for example, nearly 22,000 Irish citizens applied for a working holiday visa in Australia. But in the same year, less than half that number received sponsorship to work there or permanent visas to remain. Therefore, the majority of Irish who have gone or who are going to Australia are likely to return to Ireland at some point in the future or to move on to a third country. By contrast, leaving for England remains an easier and cheaper option for many because of Irish citizens' rights to live and work there without any legal hindrance. Emigration to other EU countries is also facilitated by Irish people's rights as EU citizens, although going to non-English speaking countries often means that having another language is a desirable asset.

5 Why are they leaving

Ireland experienced an unprecedented period of economic growth from the early 1990s to 2007. Having reached a peak of over 70,000 (gross) in 1989, a previous period of high emigration and high unemployment, annual emigration decreased substantially thereafter. Nevertheless, it never came to a halt. Even during the so-called 'boom' years, emigration continued, with approximately 30,000 people of all nationalities leaving on average every year between 1995 and 2007 for a variety of reasons. The recent economic crisis has resulted in Ireland's unemployment rate going from 4.4% in 2006 to almost 14% today. During the same time period, as already mentioned, emigration amongst Irish people has increased three-fold. It is therefore reasonable to argue that Ireland's economic situation has had a notable impact on Irish emigration. Bearing in mind that thousands of Irish people left even when Ireland's economy was prospering, however, not all Irish people who are leaving today are going due to the economic situation. This project will demonstrate the variety of reasons behind people's decisions to leave Ireland. It also seeks to discover who is more likely to return in the future.

6 Methodology

This project profiled contemporary emigrants in several ways

1. A door-to-door household survey was conducted, using data drawn from the new Small Area (SA) Population Statistics developed for the 2011 Census. A representative population sample was constructed, based on a series of rural and urban SAs and differentiated by socio-economic and educational background. 2,262 households were targeted and the return rate averaged 42%.
2. Intending emigrants were surveyed at two major jobs fairs in Dublin and Cork

3. A detailed online survey of emigrants was constructed (adjusted for representativeness based on the results of the household survey)
4. Online interviews with a weighted sample of emigrants also took place.

7 Contacts between Ireland and its Diaspora, including issues concerning voting rights.

Today's emigrants find themselves living in a more fluid universe than ever before. Emigration is no longer a question (if it ever was) of leaving country of origin A for destination country B, never to return. Much migration is multi-stage, or circular, and marked frequently by uncertainty as regards future intentions. Emigrants see themselves as living in a connected, transnational world, where in many cases the possibility of return is always a live one. Contact with the homeland, using social media, the internet and other means, is constant. Cheap travel means often means regular home visits. Online media make it possible to stay constantly in touch with politics, culture and live current issues at home.

Many of today's emigrants do not even describe themselves as such, inhabiting an ambiguous world, where they are 'in between' as well as simultaneously residents of the host-land, or destination country, while retaining virtual residence of the homeland. Most maintain a strong on-going connection with Ireland and hold a range of views and emotions (including anger, nostalgia and a passionate ongoing interest in Irish affairs) about their native country. This is true, even though today's generation is often well-qualified, confident and successful.

It is precisely in this context that it seemed especially relevant to ask emigrants about their interest in voting in Ireland.

Our household survey and our online survey, as well as the interviews with emigrants which we carried out, focused on **two** issues regarding voting rights

- a) whether emigrants should have the right to vote in Irish presidential elections
- b) whether emigrants should have the right to vote in national elections.

Moreover, in both cases, we sought to find out whether emigrants

- a) should not have such rights at all
- b) should have them for a limited period or
- c) should have them for life.

In light of the Government's stated intention to organise a referendum to abolish the Seanad a question was not asked about the option of giving emigrants seats in that body.

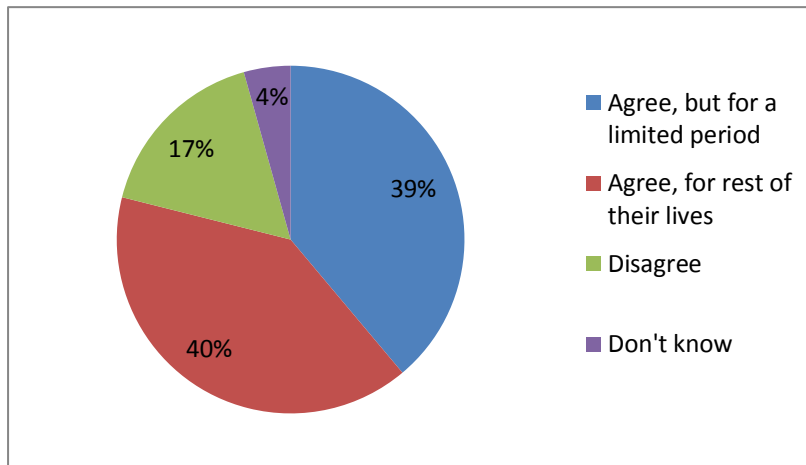
Key findings

Based on the household survey and the online emigrant survey, a clear majority favour the extension of some kind of voting rights to emigrants.

Household survey

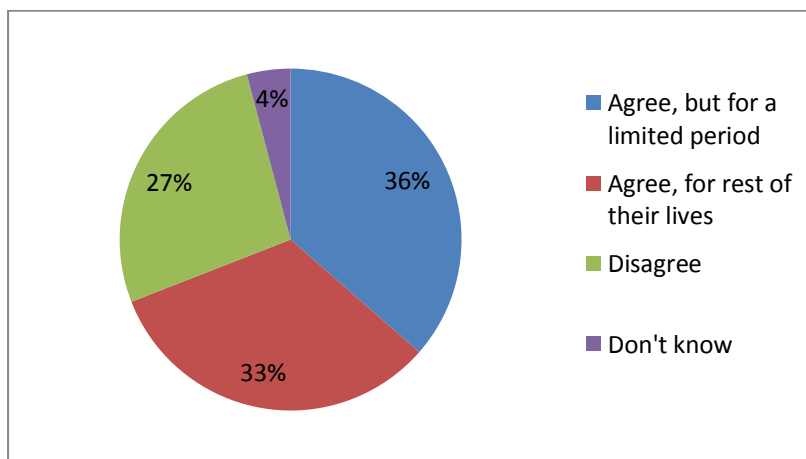
This was based on a response rate, as mentioned above, of 42%, from a representative sample of 2,262 households. Bear in mind that the majority of such households did **not** have emigrants in their immediate circle who had recently left, although approximately one half of all households had family members who had experienced emigration at some time in their lives.

1 Household Survey in Ireland: should emigrants have the right to vote in Presidential Elections?



N: 944

2 Household Survey in Ireland: should emigrants have the right to vote in General Elections?

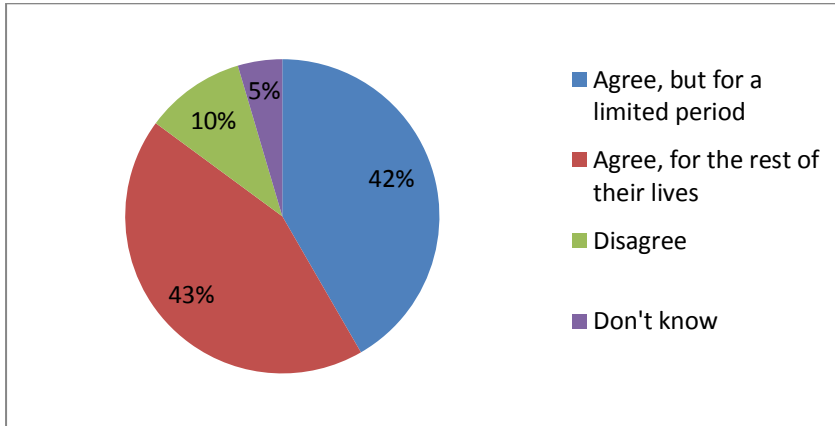


N: 944

Emigrant Online Survey

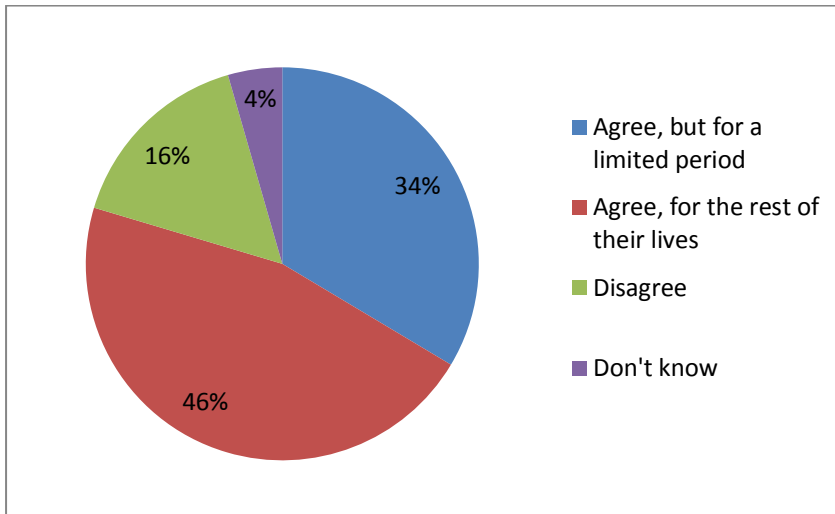
This survey is less representative, as the sample was self-selecting. However, (a) it does represent the views of emigrants themselves (b) the sample was very large, at more than 1500 responses and (c) it does not differ greatly from the results obtained in the representative household survey.

3 Emigrant Survey: should emigrants have the right to vote in Presidential Elections?



N: 1510

4 Emigrant Survey: should emigrants have the right to vote in General Elections?



N: 1501 (some non-responses)

In sum,

- In the case of voting rights in Presidential Elections, 79% of householders (whether there are emigrants in the household or not) and 85% of emigrants think there should be a right to vote. There is a fairly even split between those who think such a right should be limited in time (5-10 years) and those who think it should be granted for life
- In the case of voting rights in General Elections, 71% of householders in Ireland and 80% of emigrants think there should be a right to vote. A greater number of emigrants (46%) think such a right should be a lifetime one, compared to 34% who think it should be limited in time.

- The only substantial minority (27%) of those who would disagree with the extension of the franchise consists of those householders who would not extend the franchise to emigrants in the case of General Elections. But almost 70% are in favour.

Bearing in mind that Ireland is one of the few EU countries which does not extend the franchise to its own emigrants, the case for reform seems unanswerable.

8 Dissemination

Our findings will be disseminated in a report in September 2013 that will be made freely available to the public online, as well as a conference/webinar on 27 September that the public and emigrants will be able to listen and contribute to online, and several academic articles to be published in various peer-reviewed journals. It is also expected that the project will serve as a test-bed and a precursor to a comparative EU study.

Principal Investigator: Piaras Mac Éinrí

Postdoctoral Researcher: Irial Glynn

Research Assistant: Tomás Kelly

Web <http://emigre.ucc.ie>

Facebook <https://www.facebook.com/emigre.ucc;>

Twitter <https://twitter.com/emigreucc>),

4.4 Statistics and trends – Declan Smyth, Central Statistics Office

Presentation overview

- Data sources
- Long term trends (including population trends in the context of the Republic of Ireland since 1841 and an overview of the migration since 1951)
- Examination of some more recent trends.
 - including the Population and Migration Estimates April 2013 release

And for recent years,

- Population and migration by broad nationality
- Emigration and immigration by destination/origin
- Emigration and immigration by age group
- Irish nationals by net migration
- As well as a view of population and migration statistics from Northern Ireland

Sources of Migration Data

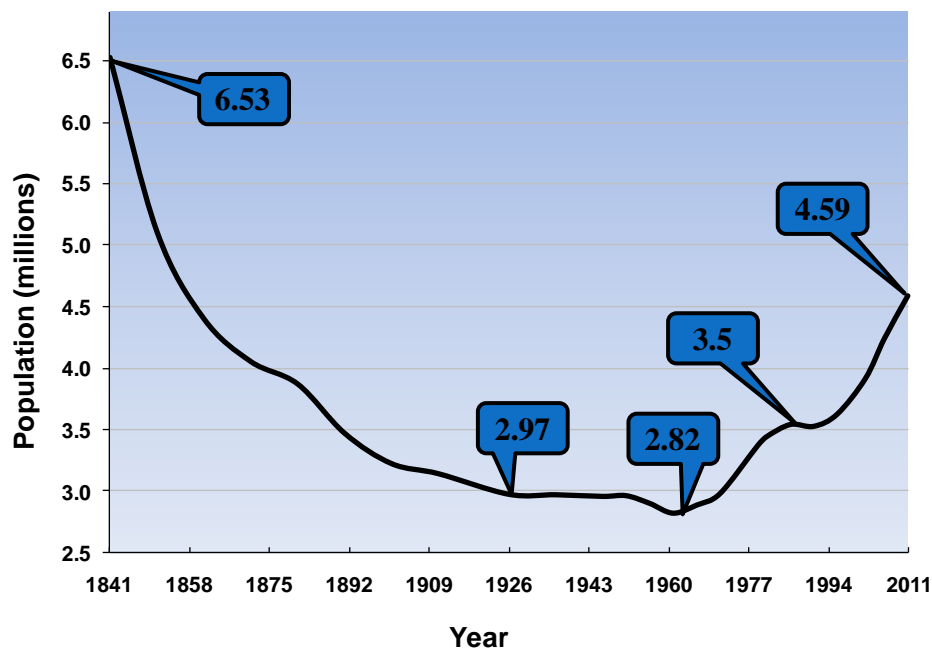
For the Republic of Ireland one of the main sources of data we have on population and migration statistics is the censuses of population. A census of population was carried out every ten years between 1841 and 1911 as well as 1926-1946. Between 1951 and 2011 a census has been carried out every five years with the exception of 1976 (due to budgetary reasons) when a head count was carried out in 1979 instead. The 2001 census was postponed until 2002 due to the foot and mouth disease.

Another important data source is the Quarterly National Household Survey (formerly the Labour Force Survey). This is the principle source of information for the estimation of the gross annual migration flows for the inter-censal years

The migration estimates are also compiled with reference to movements in other background migration indicators such as the number of Personal Public Service (PPS) numbers allocated to non-Irish nationals and the number of certain visas issued to Irish nationals to a number of the destinations including Australia, US and Canada. In addition, data on National Insurance numbers (equivalent to PPS numbers) issued to Irish nationals in the UK is referenced.

Censuses of Population 1841-2011

Looking at the historical population trends this graph illustrates the change in overall population over time.



The population registered a decline from just over 6.5 million in 1841 to just under 3 million in 1926 – the first year in which a census was held on the newly independent State.

The effects of the famine of 1846/1847 and the subsequent heavy population losses due to emigration in the latter half of the nineteenth century and early twentieth century are the main reasons for this decline.

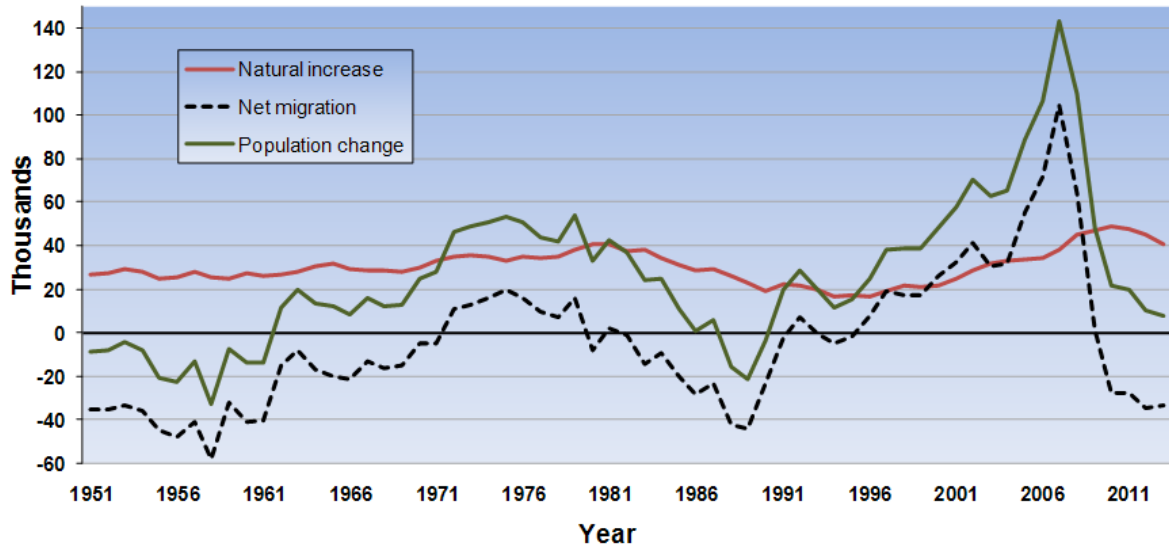
The overall population level, which remained quite stable at just under three million between 1926 and 1951, declined to reach a low point of 2.8 million in 1961. The 1960s, 1970s and the first half of the 1980s witnessed a decline in emigration and a relatively high level of natural increase culminating in a population total in excess of 3.5 million in 1986.

After a slight fall between 1986 and 1991, due mainly to a resumption of net outward migration at the end of the 1980s, the upward trend in population resumed in the early 1990s. Both natural increase and significant net inward migration contributed to record population growth between 2002 and 2006 with the result that the 2006 population was 50% higher than the low point of 1961.

Despite a return to net outward migration in the years leading up to Census 2011 the population continued to grow strongly to 4.59 million due mainly to the high number of births of recent years.

Importance of Migration

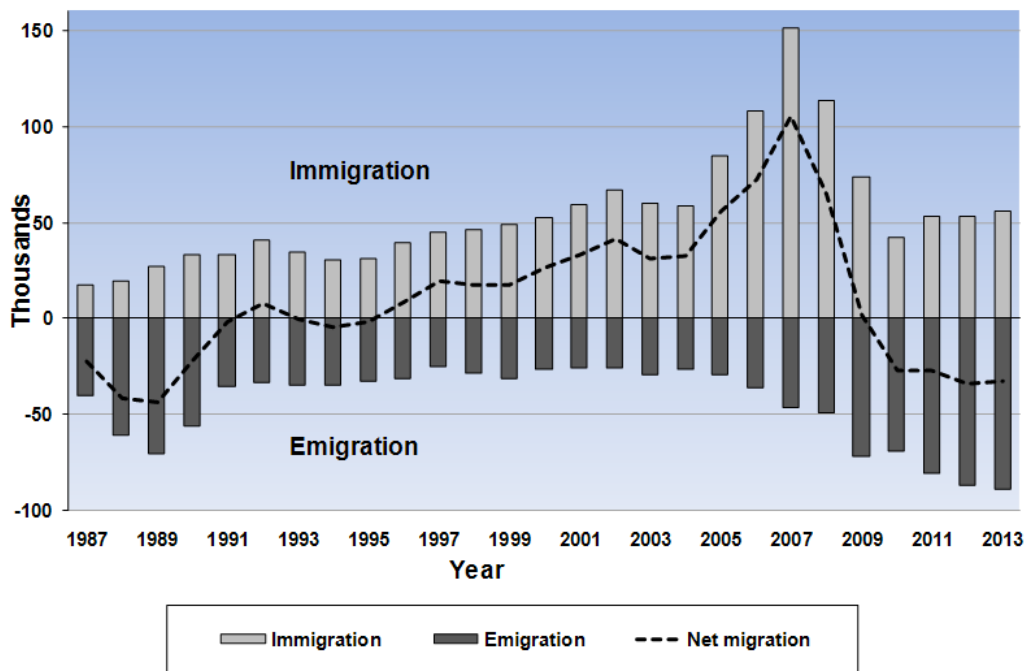
This graph illustrates population change, net migration and natural increase (births minus deaths) from 1951 to present.



You can see the importance that migration has on the population total as the population change follows the trends in net migration over time.

Recent Migration

This graph shows net migration broken down by emigration and immigration from 1987 to present



This shows the net outward migration experienced in the 1980's, the strong net inward migration during the late 90's and particularly last decade and the net outward migration again from 2009.

The recent change from net inward to net outward migration has been dramatic as we have gone from a peak estimated net inward migration of 104,800 in 2007 to the current net outward migration of -33,100 in 2013.

Population and Migration Estimates 2013

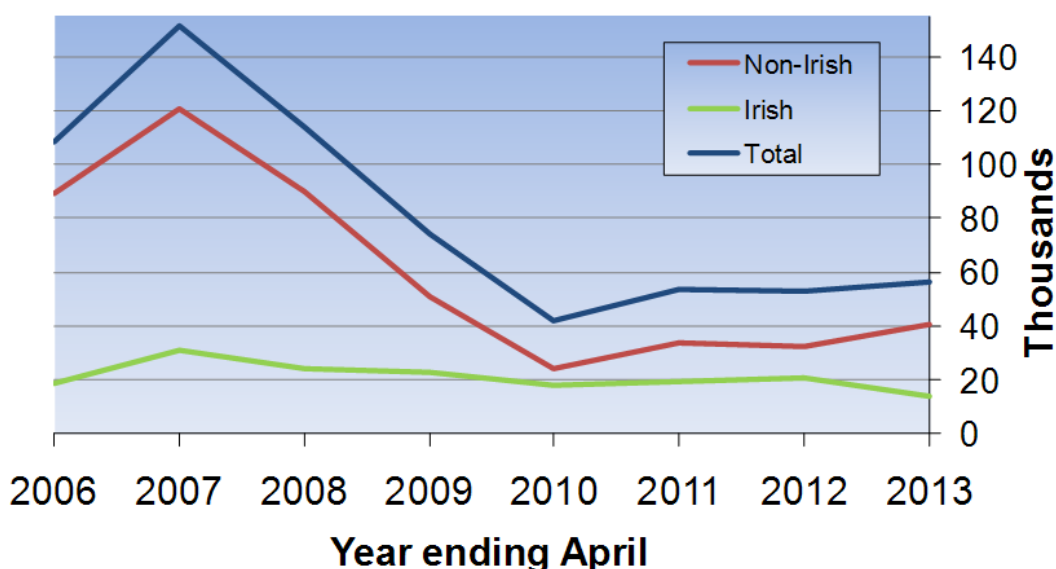
We have just published population and migration estimates for the year ending April 2013 last month.

The main results of this release were:

- Immigration in the twelve months to April 2013 is estimated to have increased to 55,900 from 52,700 in the year to April 2012
- Emigration also increased over the same period to 89,000 from 87,100
- These combined changes resulted in a total net outward migration of 33,100, which remained broadly constant with the net outward migration of 34,400 in the previous year
- Natural increase over the same period was 40,800, a fall of 4,100
- The combined effect of these components was a small increase in the population bringing the population estimate to 4.59 million in April 2013 (an increase of 7,700).

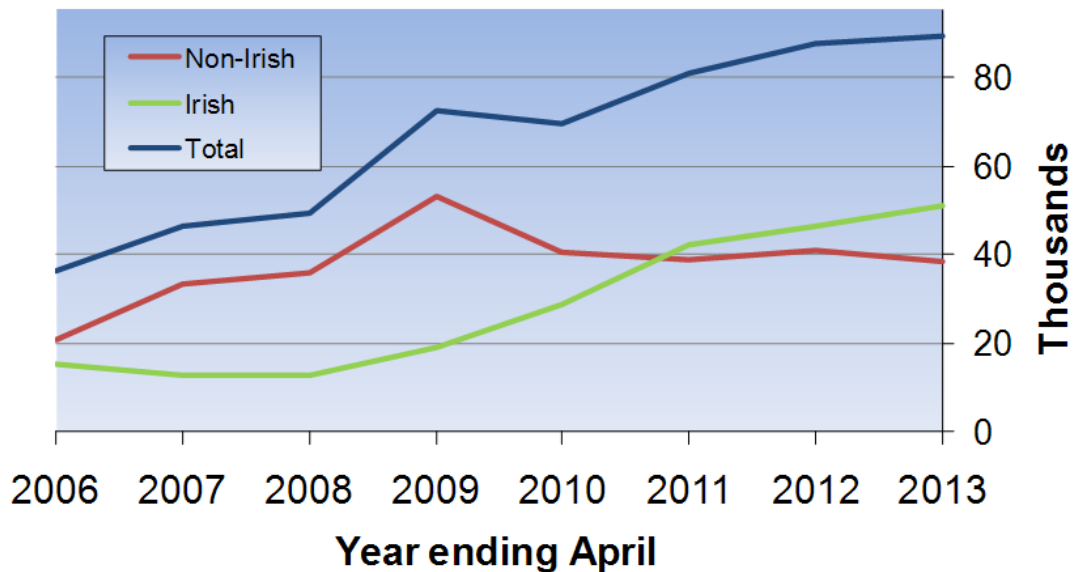
Estimated Immigration by Nationality

Now looking at some of the components of the population change since 2006 in more detail and referring first to immigration, this graph shows that immigration in the year to April 2013 is estimated to be 55,900 (a rise of 6% from the 2012 figure of 52,700 but a fall of 63% from the peak 2007 immigration figure). Immigration among Irish nationals is estimated to be 15,700 while immigration among non-Irish persons was 40,200.



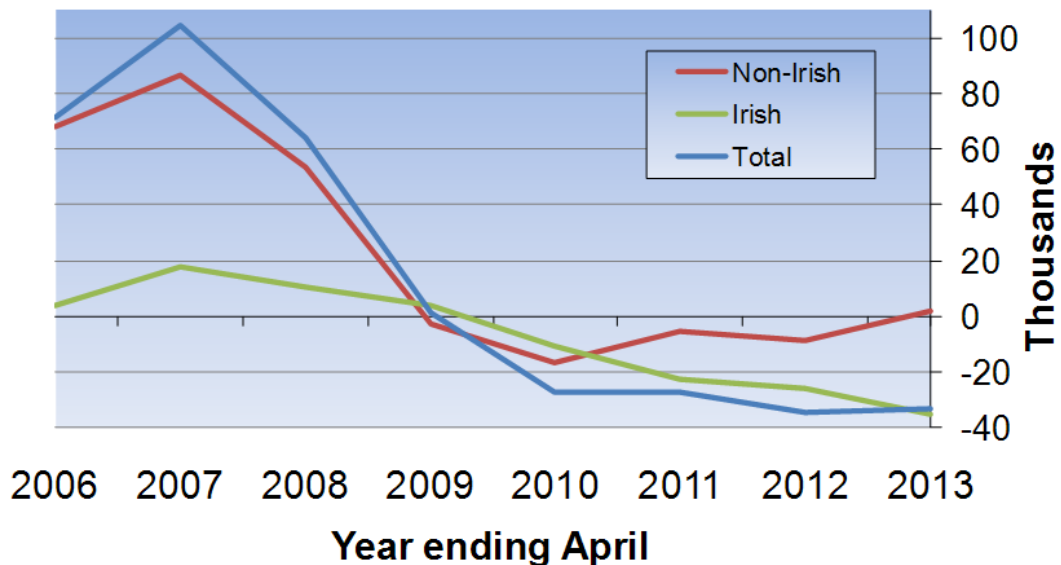
Estimated Emigration by Nationality

Moving on to emigration, this graph shows that emigration from Ireland in the twelve months to April 2013 is estimated to have reached 89,000, an increase of 1,900 (or just over 2 per cent) on the 87,100 recorded in the year to April 2012 (and almost double the estimated 46,300 in 2007). Emigration among Irish nationals continued to increase from 46,500 to 50,900 over the 12 months to April 2013 while emigration among non-Irish persons fell from 40,600 to 38,100 over the same period (and in line with 2011 levels at 38,600). Irish nationals were by far the largest constituent group among all emigrants in 2013, accounting for 57 per cent.



Net outward migration

Therefore, in April 2013 net outward migration is estimated at -33,100, remaining broadly constant with the previous twelve month period. However, net outward migration is being driven by Irish migration flows. The outward migration among Irish nationals grew from -26,000 in April 2012 to -35,200 in April 2013. Over the same period, net migration of non-Irish nationals has gone from net outward (-8,400) to marginally net inward at 2,100.



Population by Nationality

Now looking at the population by nationality, comparing the proportions of Irish nationals to Non-Irish nationals you will see that in 2006 Irish nationals accounted for 89.8% of the population. In 2013 Irish nationals are estimated to account for 87.9% of the population, a slight decline compared to 2012 (which was 88%) – the decline in the year ending April 2013 is largely due to a fall in natural increases and the change in net migration flows between Irish and Non-Irish nationals noted already.

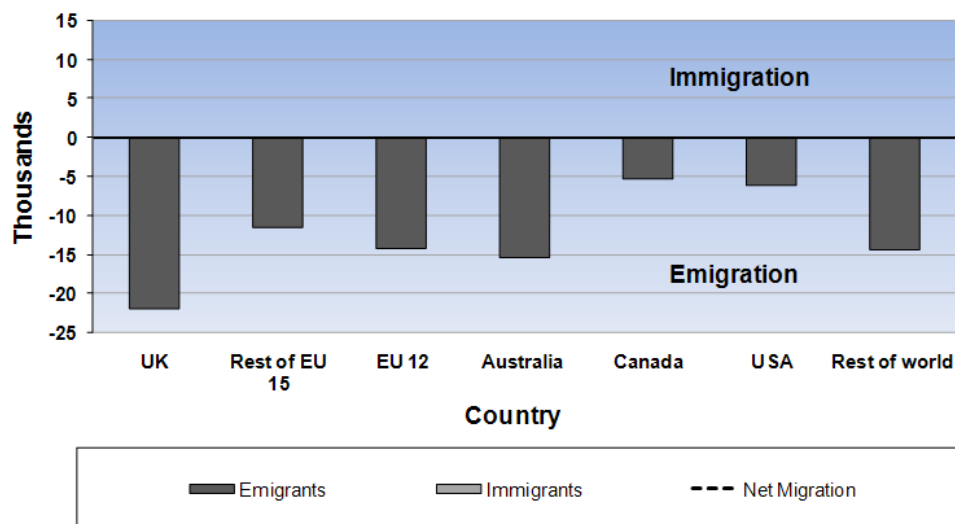
Broad nationality breakdown

Nationality	2006	2007	2008	2009	2010	2011	2012	2013
	%							
Irish	89.8	88.1	87.2	87.3	87.7	87.8	88.0	87.9
Non-Irish	10.2	11.9	12.8	12.7	12.3	12.2	12.0	12.1

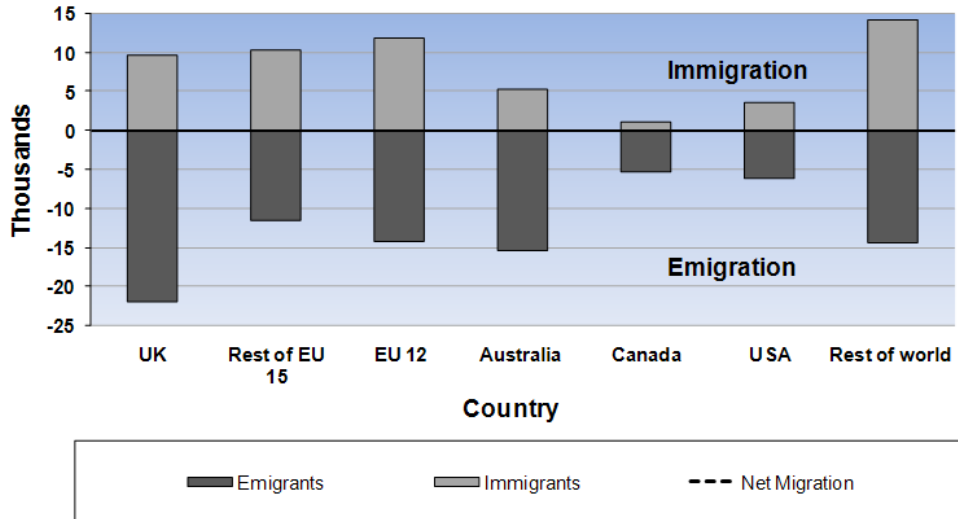
Migration by origin/destination

Turning our attention to migration in 2013 again and looking at migration by origin/destination produced the following graphs.

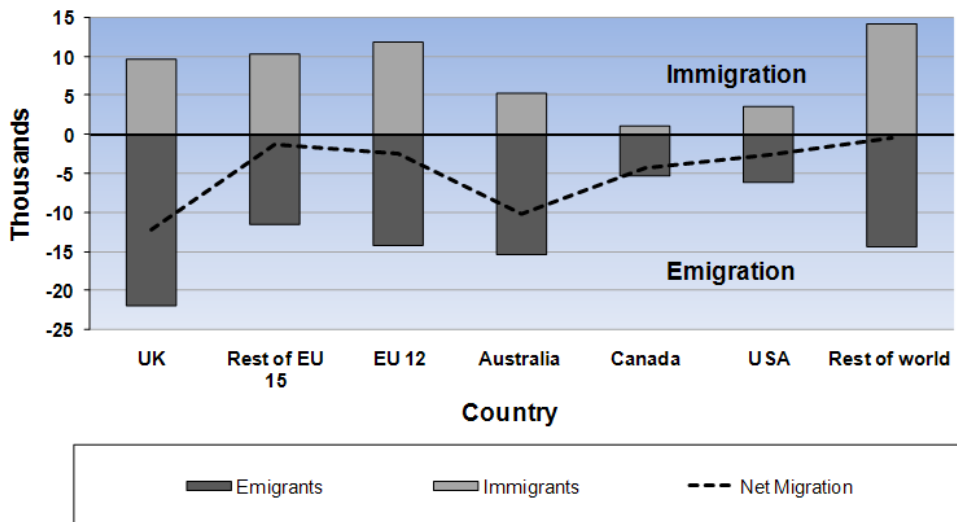
First, examining emigration by destination, this graph illustrates that the UK is the most common destination followed by Australia.



Then looking at immigration by origin, the grouping 'Rest of the World' is the most common point of origin (with Nigeria, Brazil, China, Philippines, and Pakistan being the most prevalent countries) followed by the EU12.



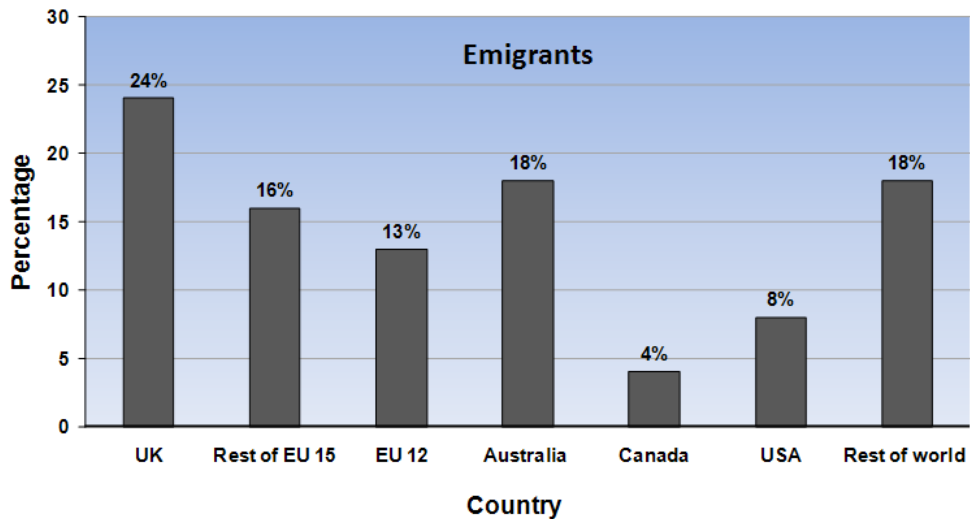
However, the net outward migration is very much centred on the UK and Australia, countries with strong links to Irish emigration.



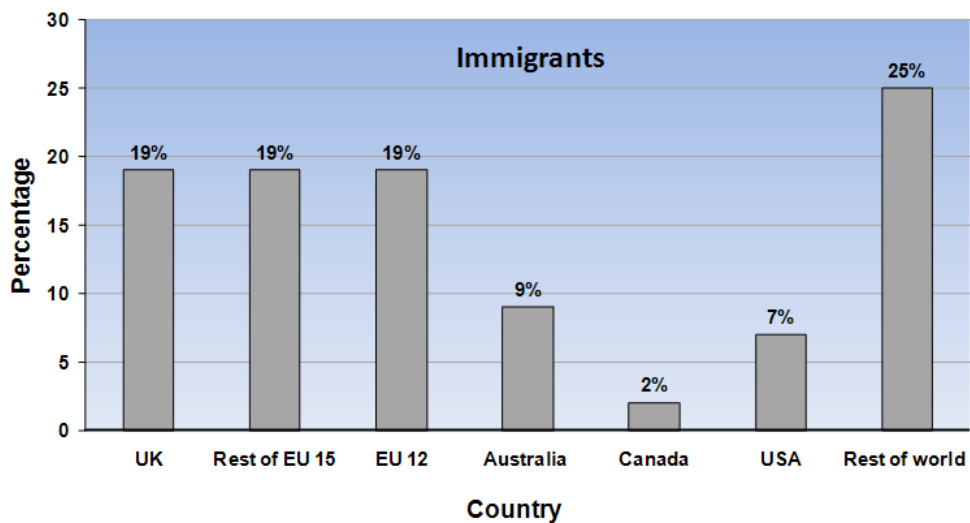
Migration by Origin/Destination on average 2011-2013

Now taking the last three year average percentage distribution of all migrants by origin/destination produced these results.

For emigrants



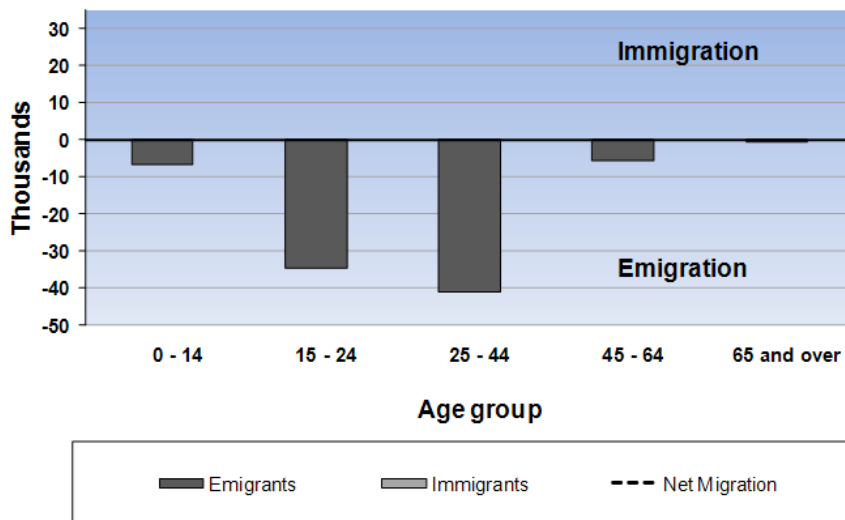
And then for immigrants



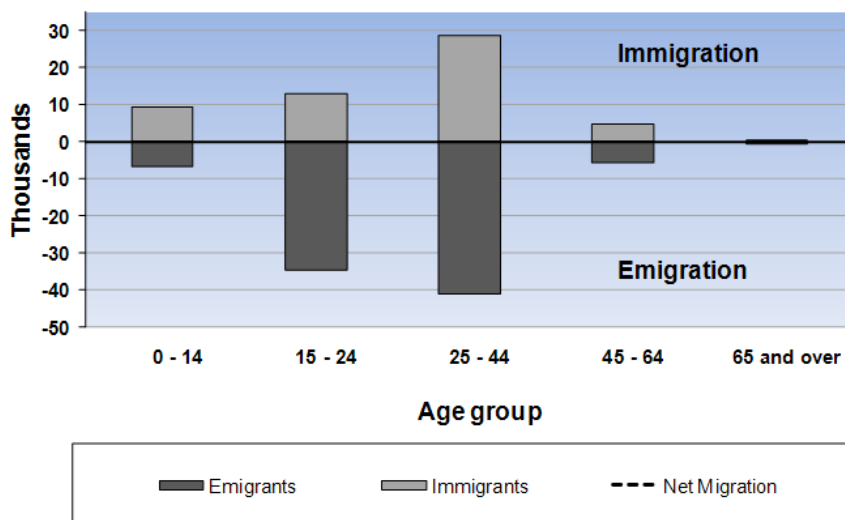
Migration by Age-Group 2013

Again turning our attention to migration in 2013 and looking at migration by broad age groups produced the following results.

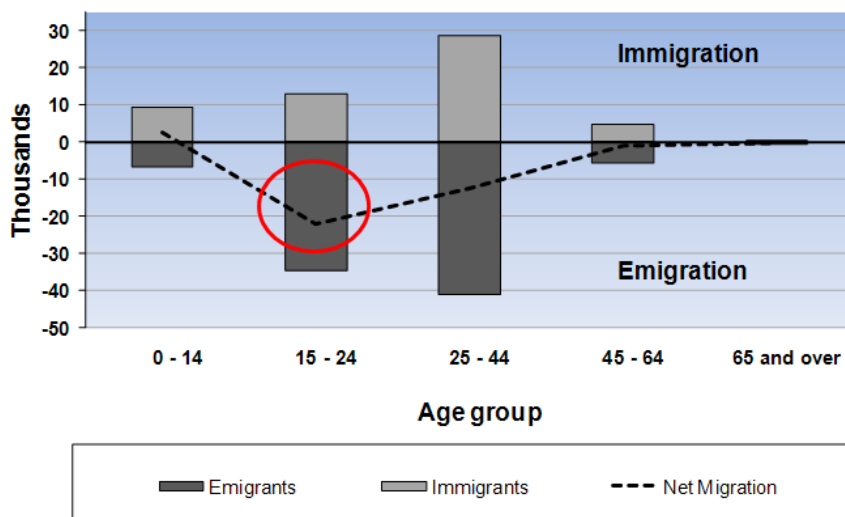
First, examining emigration by age group we see that the 25-44 years has the most numerous emigrants, closely followed by the 15-24 year olds.



Then looking at immigration by age group, the 25-44 years are again the most numerous but this time the 15-24 year olds are considerably less.

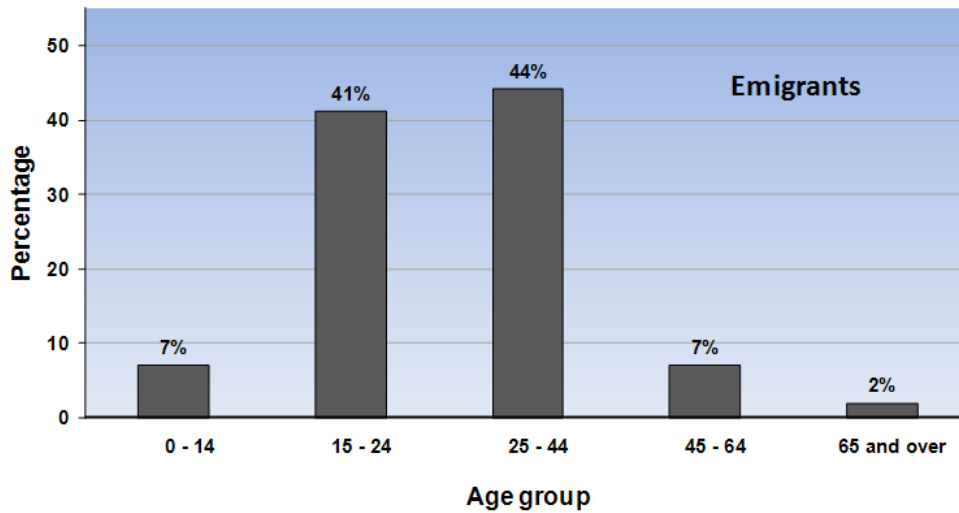


This means that the net outward migration we are experiencing is very much centred around the 15-24 age group.

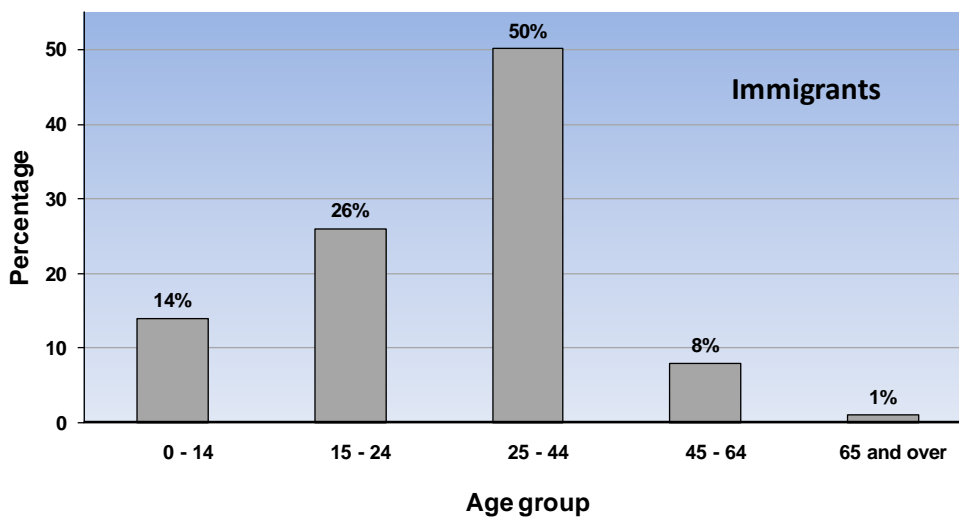


Taking the last three year average percentage distribution of all migrants by age group produced these results.

For emigrants



For immigrants



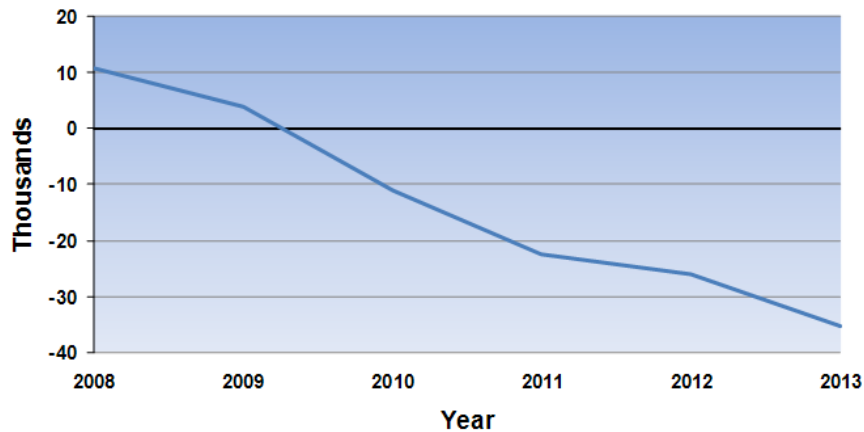
Estimated net migration by Irish Nationals 2008-2013

Looking at Irish nationals by net migration since the economic downturn in 2008 produced the following results.

The number of Irish nationals to have immigrated is estimated to be 121,000 while the number estimated to have emigrated is 201,000.

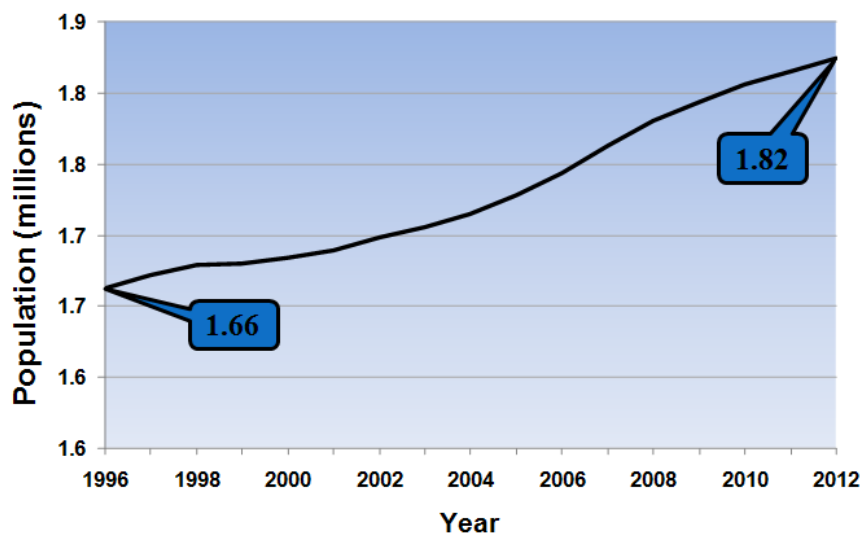
This means we have an estimated net outward migration of 80,000 Irish nationals since 2008.

This graph illustrates the trend in net migration for Irish nationals over the last 6 years.



Northern Ireland Population 1996-2012

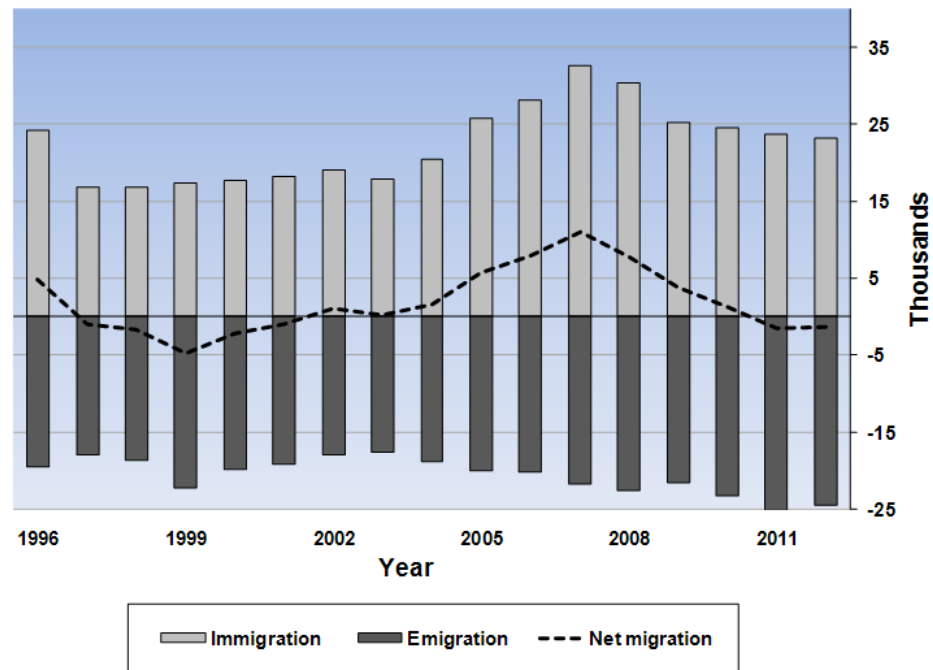
Looking at the population and migration trends in Northern Ireland we see that the population in Northern Ireland has also experienced growth in recent years. The population has grown from 1.66 million in 1996 to 1.82 million in 2012 (an increase of 10%).



Sourced: Northern Ireland Statistics and Research Agency

Recent Migration in Northern Ireland

However, like the Republic of Ireland, Northern Ireland has gone from net inward migration to net out migration in recent years (net out migration commencing again in 2011), with just under 50 per cent of emigrants destined to other parts within the UK and 45 per cent originating from other parts of the UK.



Although the net migration in recent years in Northern Ireland is low this is disguising the fact that inflows were of the order of 23,000 to 24,000 while outflows or emigration was of the order of 24,000 to 25,000 a year.

5. “Other Voices” – a Global Panel Discussion of the results of the Convention survey of citizens abroad:

The Convention heard from a number of representatives from Irish communities across the world in a simultaneous tele-conference – the video of the discussion can be viewed here:

<http://www.youtube.com/watch?v=QGugNbIB-sc>

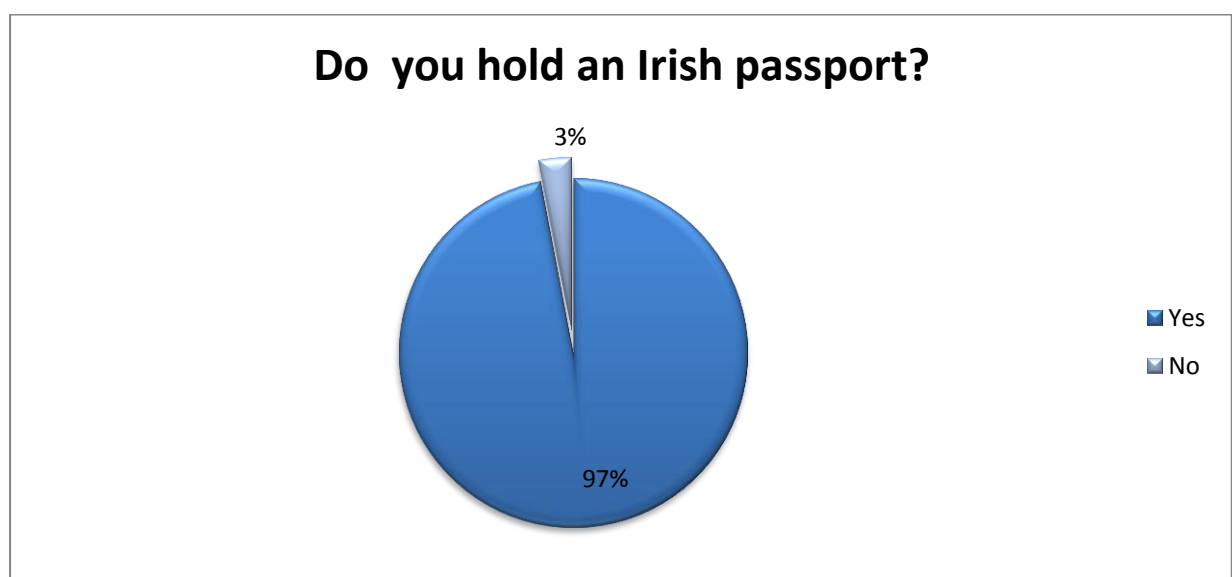
Contributions by:

- Prof. Rónán McDonald, Global Irish Studies Centre University of New South Wales, Sydney
- David Dempsey, President of the Irish Business Network, Germany
- Paul Lynch, Co-founder Paris Gaels GAA Club and Paris GOAL Ball Organiser
- John Murphy, Co-Chairman, Irish Network USA
- Dr. Susan Cahill, School of Canadian Irish Studies (Concordia University, Montreal)
- Prof. Mary Hickman, Centre for Irish Studies, St Mary’s University College, London
- Ryan Feeney, Director of Strategy and Public Affairs for Ulster GAA

Global Survey Results: Part One

As part of their consideration of this issue, the Convention members were very anxious to hear the views of our diaspora so we produced a questionnaire on some of the key themes associated with the subject. The survey, conducted over 2 months in August and September, 2013, and distributed through the Irish embassy network, elicited nearly 2,500 responses from Irish citizens currently living in 64 countries (from Afghanistan to Zambia).

Question 1.



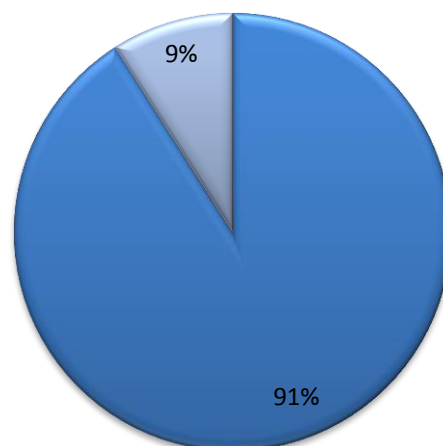
Question 2.

There were responses from 64 countries across the globe:

Where are you resident?		
Afganistan	Germany	Sierra Leone
Argentina	Ghana	Singapore
Australia	Hungary	Slovenia
Austria	India	South Africa
Belgium	Ireland	South Korea/North Korea
Bermuda	Italy	Spain
Bosnia and Herzegovina	Japan	Sweden
Brazil	Kosovo	Switzerland
Bulgaria	Kuwait	Taiwan
Canada	Luxembourg	Thailand
Chile	Malaysia	Tanzania
China	Namibia	The Czech Republic
Croatia	Myanmar	The Netherlands
Denmark	New Zealand	Uganda
Ecuador	Nigeria	United Arab Emirates
Estonia	Norway	United Kingdom
Ethiopia	Oman	United States of America
Finland	Poland	Vietnam
France	Portugal	Zambia
Lesotho	Romania	
Lebanon	Russia	
Kenya	Serbia	
Lithuania		

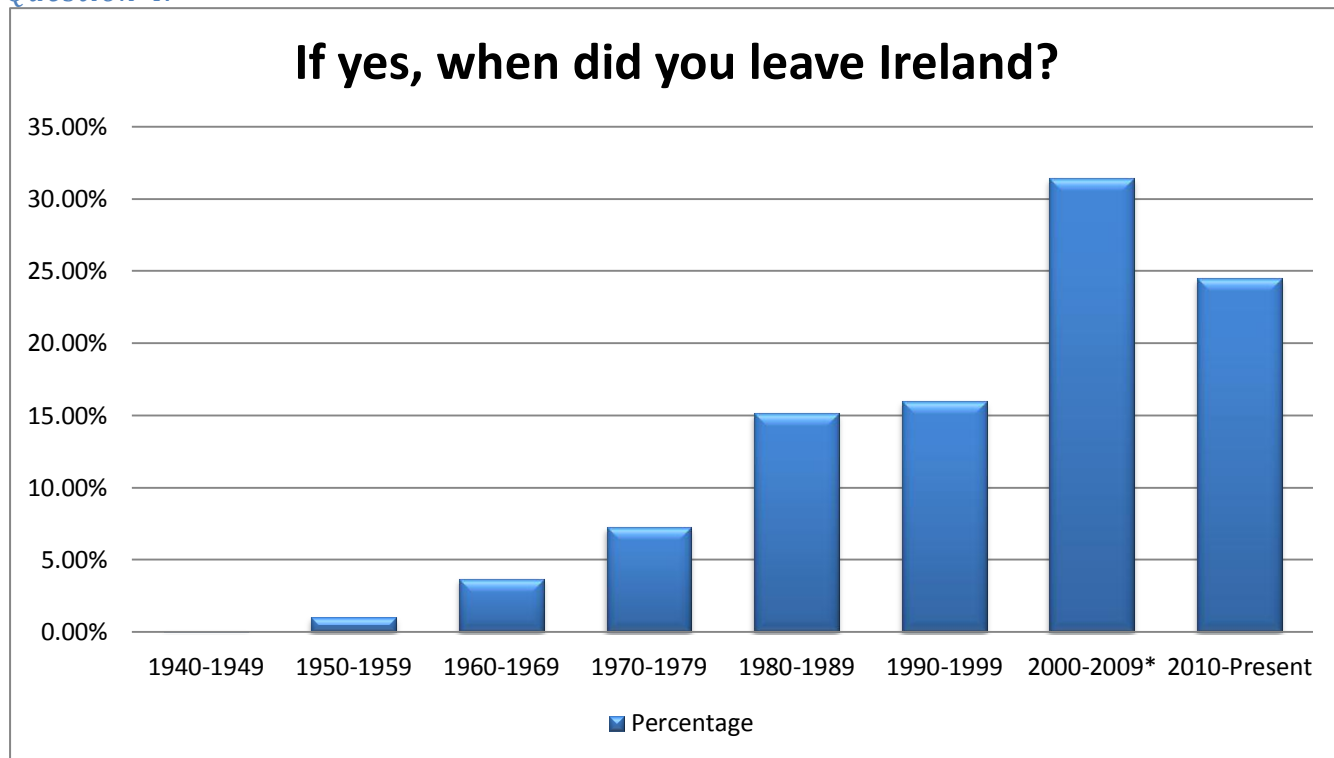
Question3.

Have you ever lived in the Republic of Ireland?



■ Yes
■ No

Question 4.

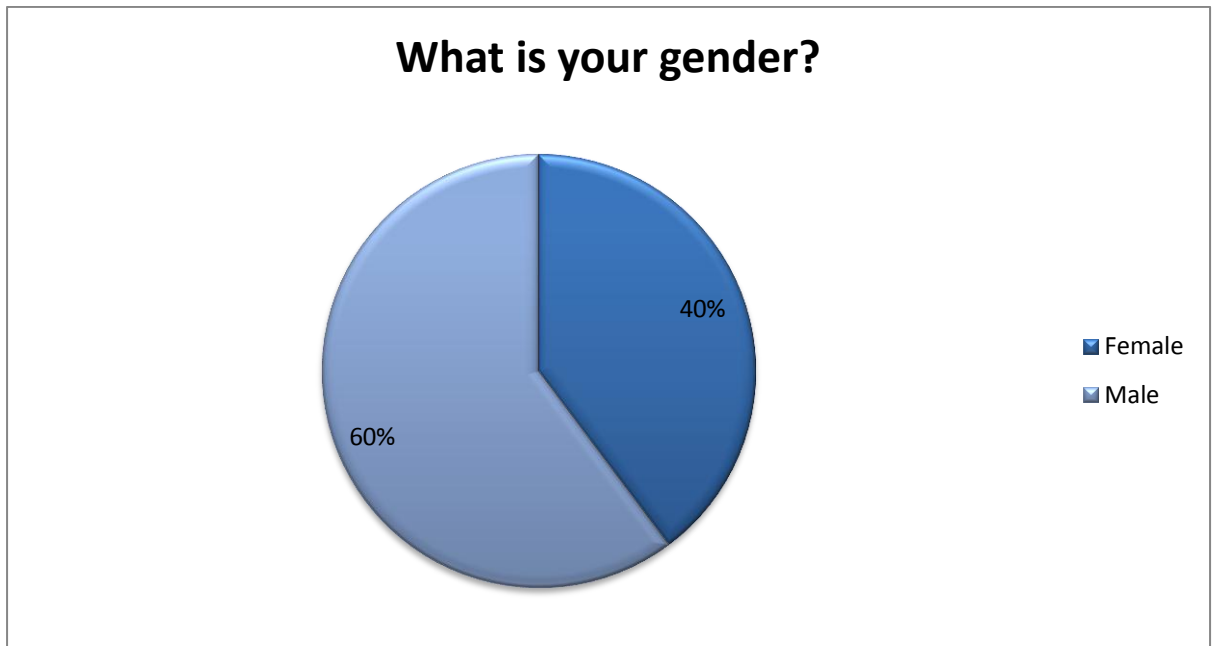


*Almost half of these emigrants left between 2007-2009.

Question 5.

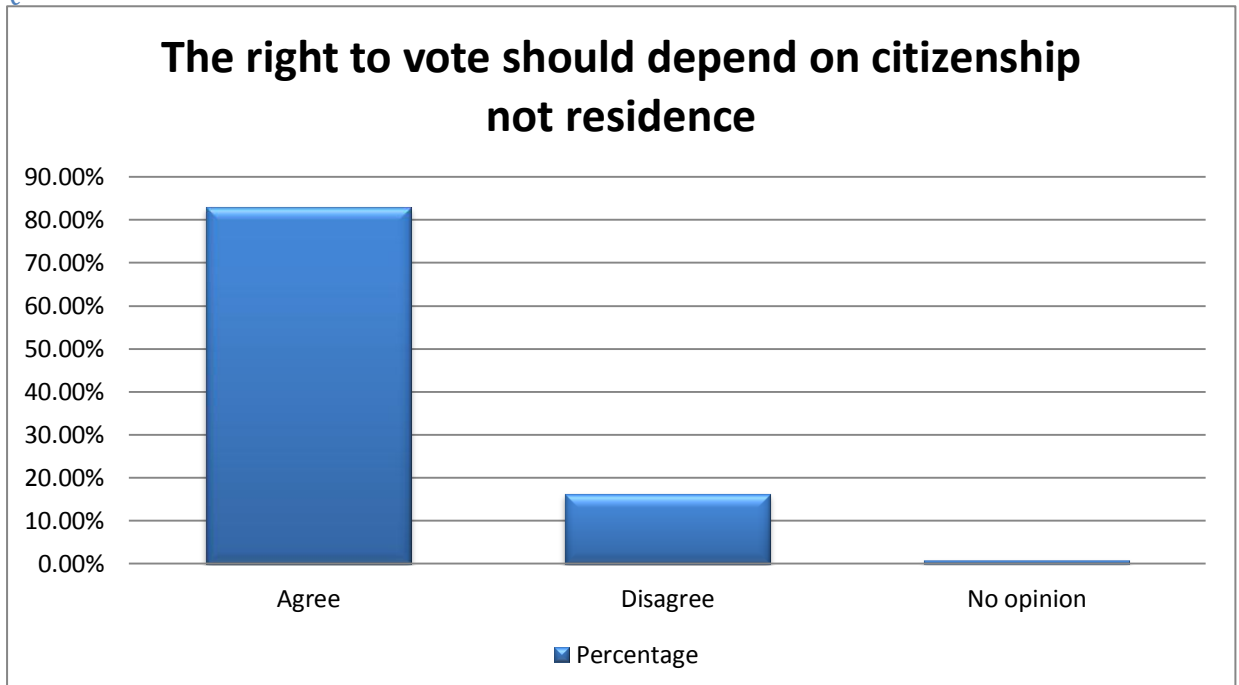


Question 6.

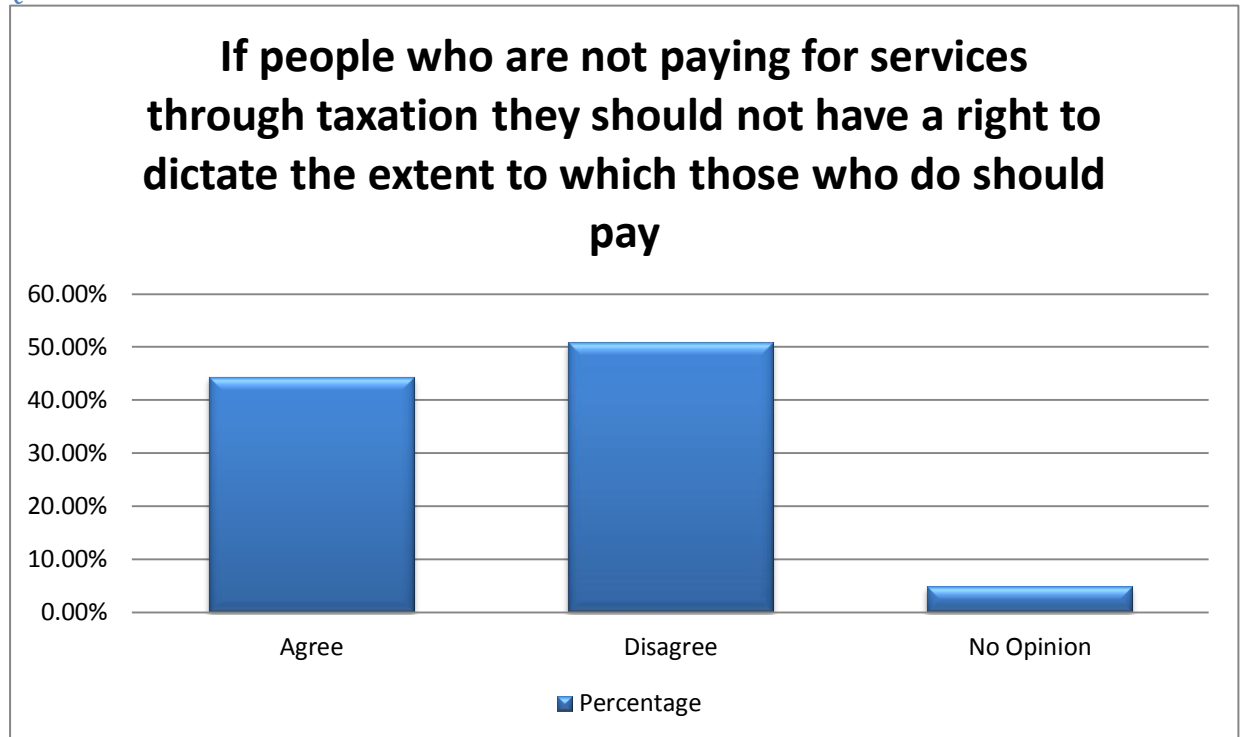


Global Survey Results: Part Two

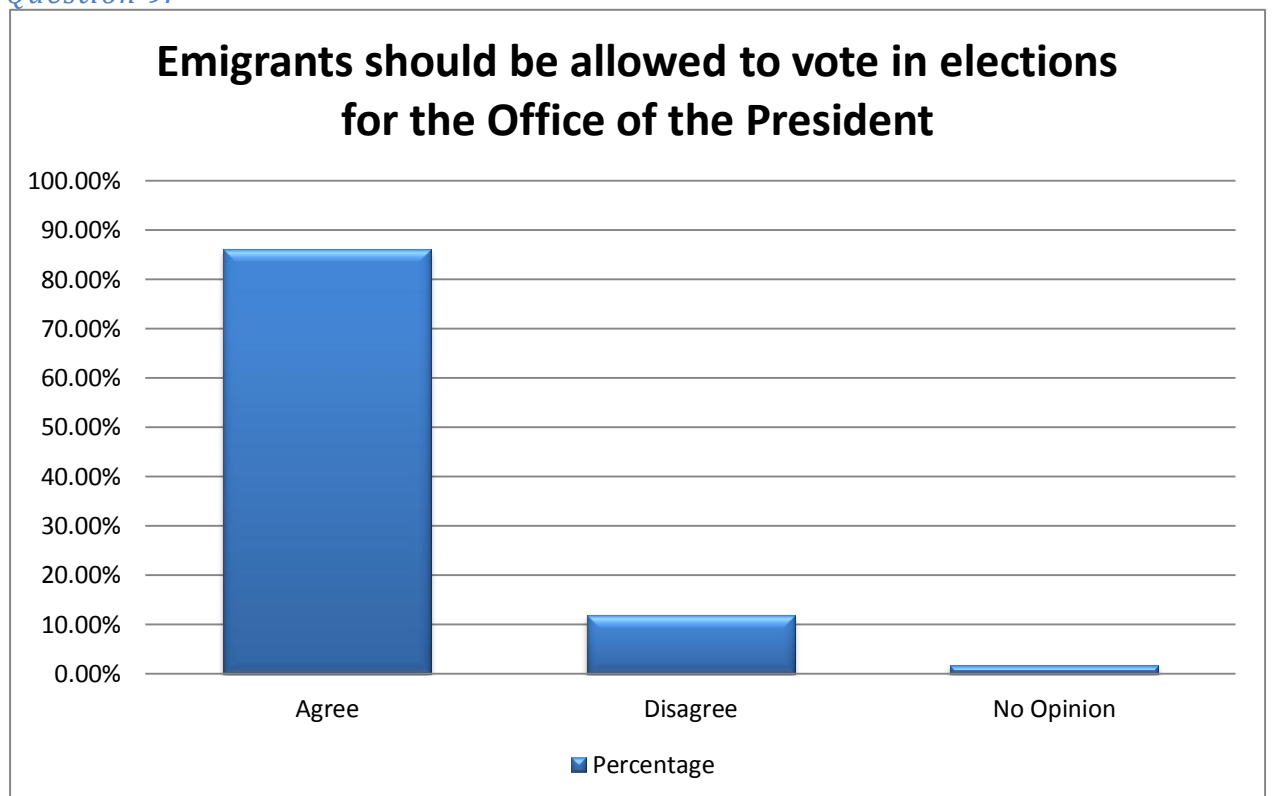
Question 7.



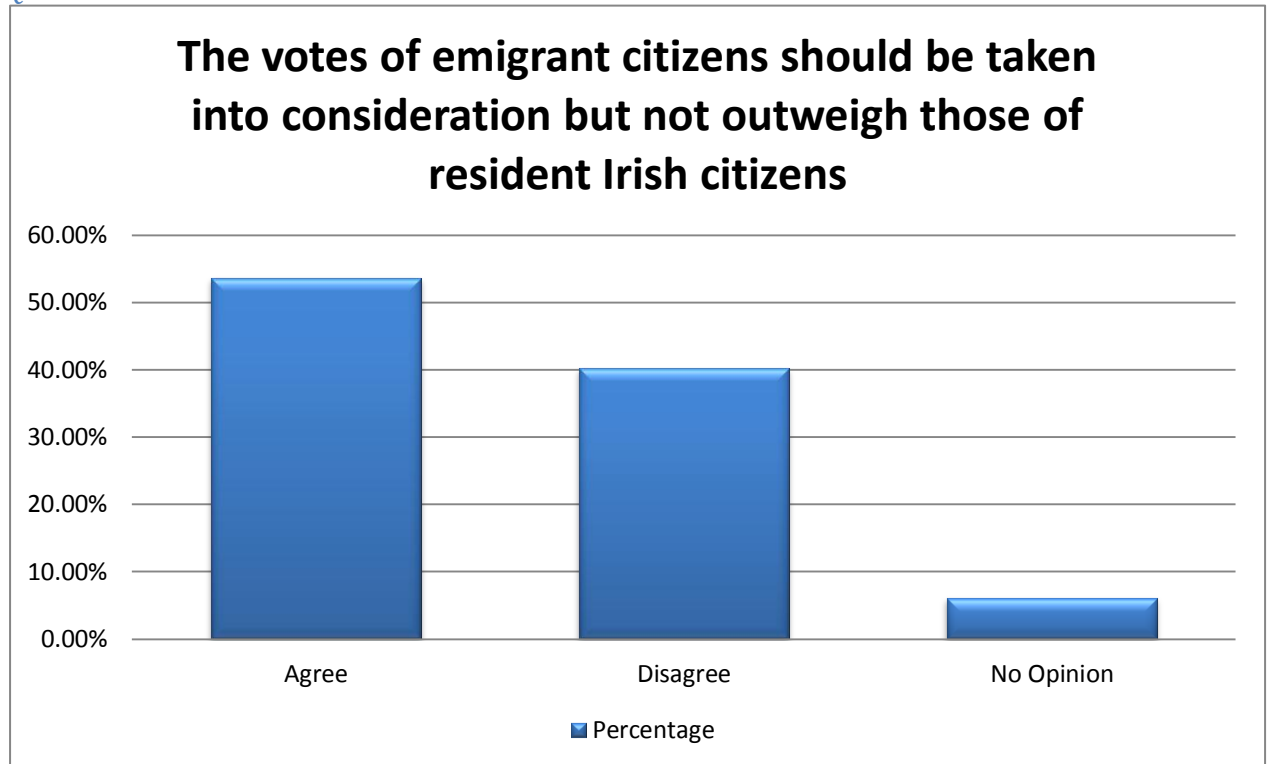
Question 8.



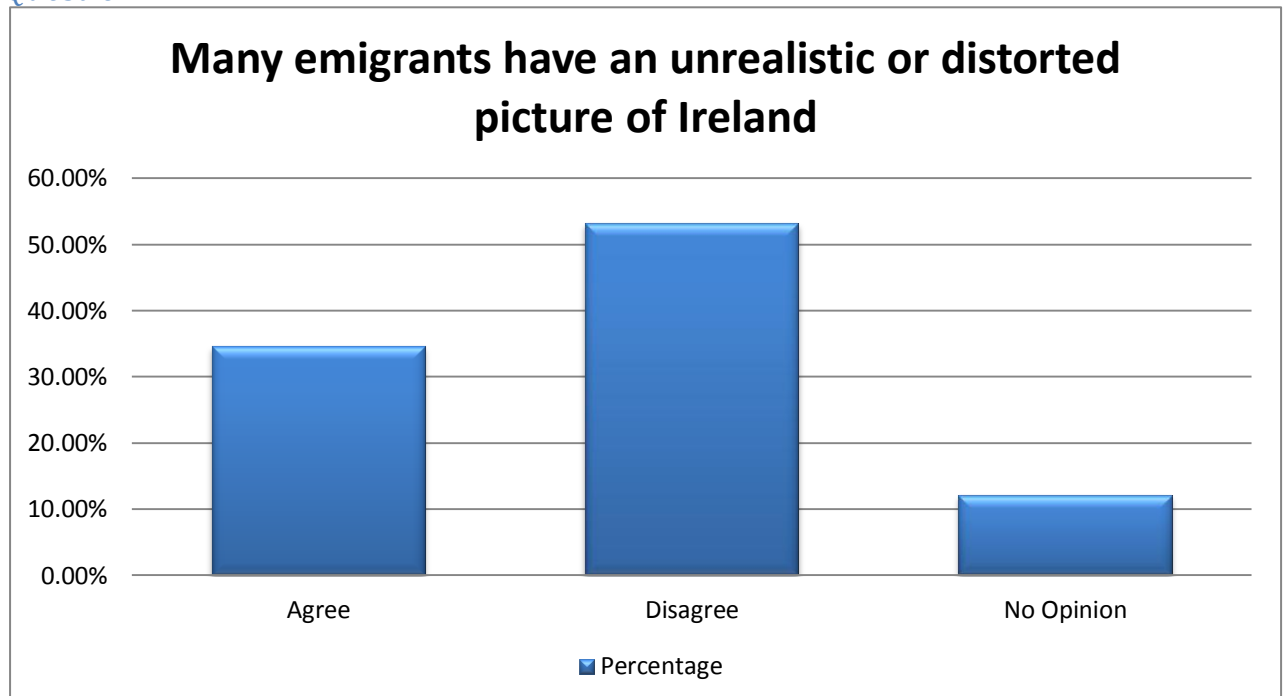
Question 9.



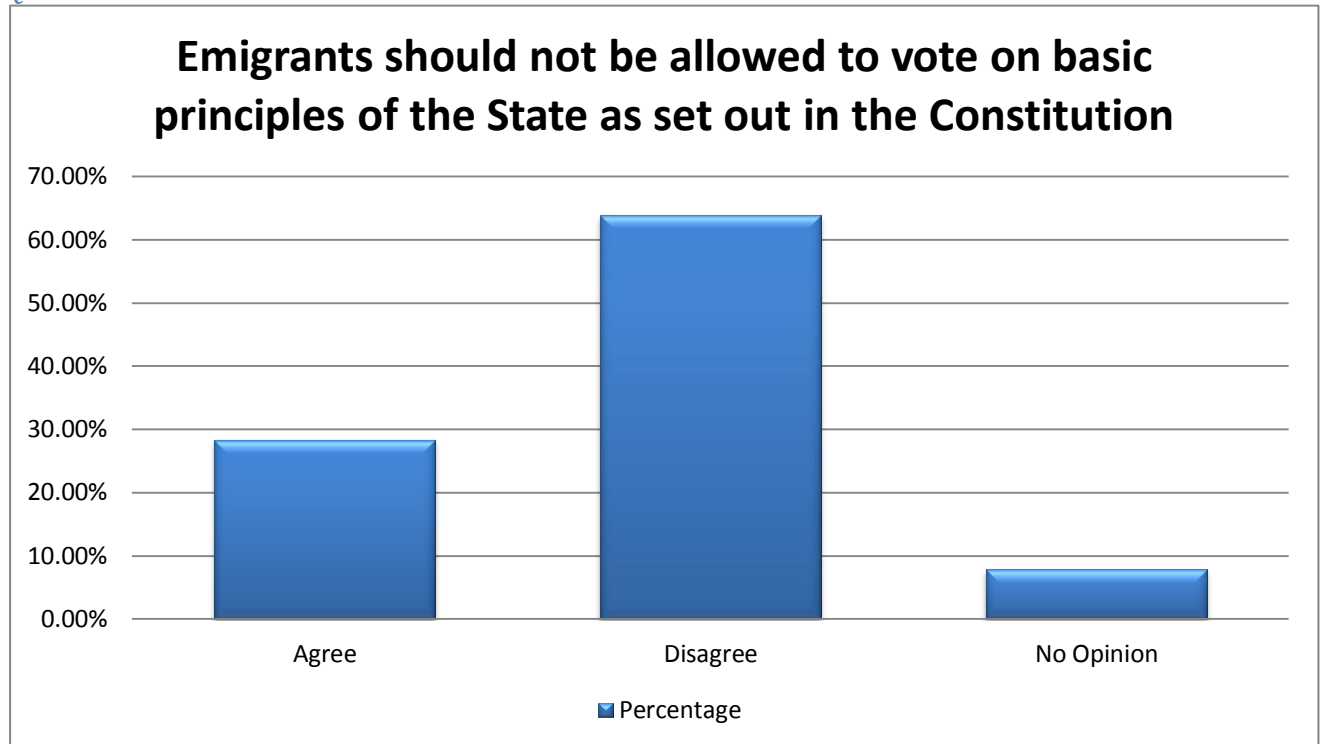
Question 10.



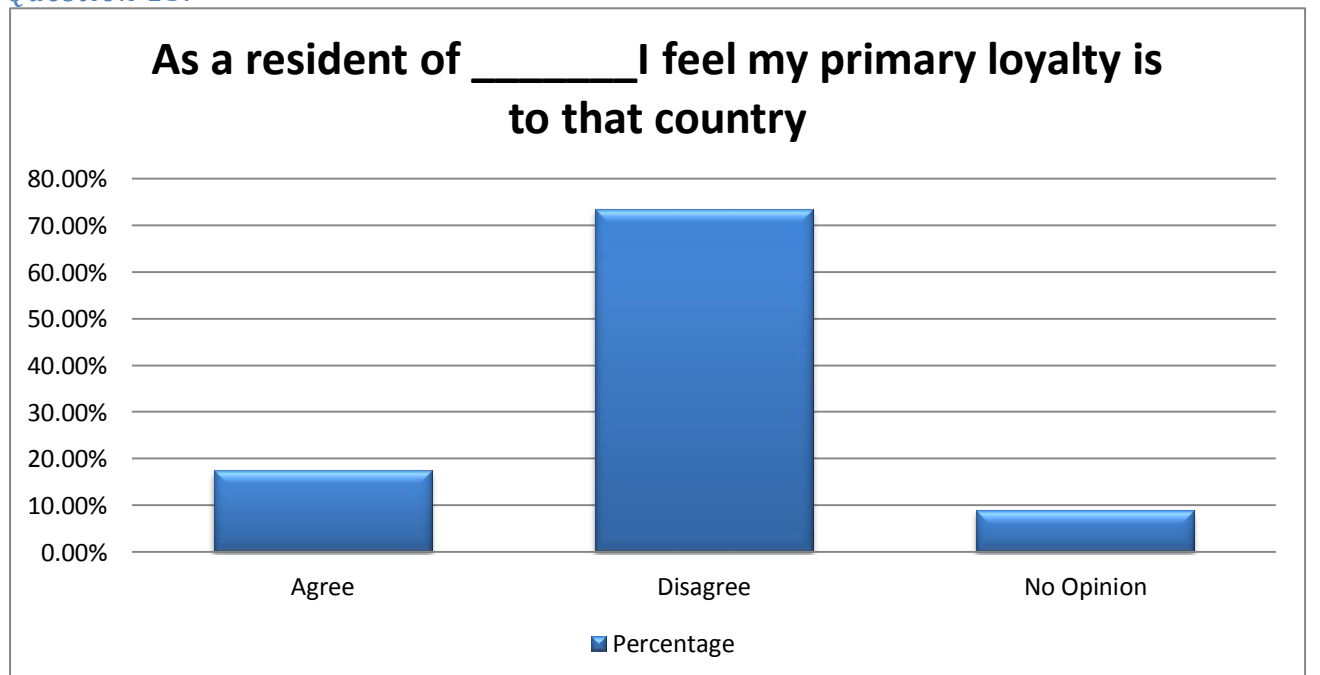
Question 11.



Question 12.



Question 13.



Question 14.



6. Northern Ireland

6.1 Legal/Constitutional position – Prof. Colin Harvey, QUB

1. Article 12 of the Irish Constitution addresses the matter of who has ‘the right to vote at an election for the President’. Article 12.1 provides that the ‘President shall be elected by direct vote of the people’, and in Article 12.2 this is limited to ‘every citizen’ who possesses the ‘right to vote at an election for members of Dáil Éireann’. The constitutional entitlement to vote in Dáil elections is found in Article 16, where the right is tied to ‘the provisions of the law relating to the election of members of Dáil Éireann.’ The result of law and practice is that Irish citizens who are defined as resident outside the state are not eligible to vote in Presidential elections. There are consequences for Irish citizens ‘in this island’ (resident in Northern Ireland) and Irish citizens globally.

2. This must now be framed by the fundamental constitutional changes flowing from the Belfast/Good Friday Agreement 1998 (democratically endorsed on 22nd May 1998). Article 2 of the Irish Constitution merits citation:

‘It is the entitlement and birthright of every person born in the island of Ireland, which includes its islands and seas, to be part of the Irish Nation. That is also the entitlement of all persons otherwise qualified in accordance with law to be citizens of Ireland. Furthermore, the Irish nation cherishes its special affinity with people of Irish ancestry living abroad who share its cultural identity and heritage.’

3. Articles 2 and 3, when read with Article 1 and related provisions, place an emphasis on ‘people’ and ‘persons’ in a transformed understanding of what it means to be ‘part of the Irish nation’. Article 3, for example, directs the ‘Irish Nation’ towards a conception of unity by consent that is ‘democratically expressed, in both jurisdictions in the island’. Irish citizens also have a fundamental political duty of ‘[f]idelity to the nation’ (Article 9.3). According a constitutional right to vote to Irish citizens is a modest and logical outworking of the new democratic constitutionalism in Ireland. It is in keeping with Ireland’s global role, recognition of the civil and political rights of citizens, Irish-British relations, North-South co-operation, and the fundamental principles of the agreements adopted since 1998.

4. The Irish President occupies a constitutional position of symbolic and practical significance to all those who are ‘part of the Irish nation’. The President must, for example, dedicate her or his ‘abilities to the service and welfare of the people of Ireland’ and ‘maintain the Constitution of Ireland and uphold its laws’ (Article 12.8). There is now an opportunity for constitutional recognition of Irish citizens resident outside the state as ‘part of the Irish nation’. It is a proposed constitutional change that is consistent with the guiding spirit of the Irish Constitution, the democratic orientation of the new Irish constitutionalism, and the fundamental principles of the agreements flowing from the peace process. It would be a timely, modest, and appropriate constitutional step.

6.2 Voting patterns – Dr John Garry, QUB

If people living in Northern Ireland were allowed to vote in an Irish Presidential election, what impact would this have on the outcome of the election?

In order to shed some light on this question, this briefing paper uses information from a survey of the political views of people who live in Northern Ireland. The survey was conducted in 2009, directly after the election to the European Parliament (full details of how the survey was conducted are reported in the Appendix). Included in the survey were questions which measured the level of political support that Northern Ireland citizens had for a range of political parties. First of all, the parties that regularly compete in Northern Ireland elections were focused on and respondents were asked, in relation to each party, how likely it is that they would ever vote for that party. The full question wording is:

We have a number of political parties in Northern Ireland each of which would like to get your vote. How likely is it that you will ever vote for the following parties? Please use this scale to indicate your views, where '1' means 'not at all likely' and '10' means 'very likely'. [In turn each of the following parties are asked: Alliance, Democratic Unionist Party, SDLP, Sinn Féin, Ulster Unionist Party]

Also, parties from the Republic of Ireland were focused on, parties that could (in theory at least) compete in elections in Northern Ireland. Again, respondents were asked - in relation to each party in turn - to say how likely it is that they would ever vote for that party. The full question wording is:

There are a number of political parties in the Republic of Ireland who may at some stage run candidates in a Northern Ireland election. If the following parties took part in a Northern Ireland election, how likely is it that you would ever vote for each party. Please use this scale to indicate your views, where '1' means 'not at all likely' and '10' means 'very likely'. [In turn, each of the following parties are asked: Fianna Fáil, Fine Gael, Labour]

For present purposes, I focus on responses to the questions relating to Sinn Féin, Fianna Fáil, Fine Gael and the Irish Labour party. These are parties that are likely to field, or support, candidates running in an Irish presidential election. Northern Ireland citizens' responses to the questions on likely support for each of these four

parties can provide some indication of the likely behaviour of Northern Ireland citizens in a presidential election.¹

The responses are re-categorised into four groups in order to simplify the discussion: 1=very unlikely to support the party, 2-5=fairly unlikely to support the party, 6-10=likely to support the party and respondents who indicated 'don't know' are kept as a separate category.

Before reporting how people answered these questions, we should consider that if Northern Ireland citizens were allowed to vote in a Republic of Ireland presidential election not *all* of them would do so. As is well known, many citizens abstain at election time, and in Northern Ireland participation levels at Assembly elections are on the decline.

Voting in an Irish presidential election may well be regarded by some people in Northern Ireland as an exciting opportunity to indicate their preferences at the ballot box, but an Irish presidential election is likely to be generally regarded in Northern Ireland as of less importance than, for example, an Assembly election. Hence, we here focus on voters who are particularly likely to turn out to vote. Specifically, those respondents who reported that they had participated in the Northern Ireland election to the European Parliament 2009 are focused on, the assumption being that such respondents are the type of people who are particularly likely to make the effort to turn out to vote at election time (and especially to turn out to vote in a non-crucial election).

Table 1: Northern Ireland citizens' likelihood of ever voting for...

	<i>Sinn Féin</i>	<i>Fianna Fáil</i>	<i>Fine Gael</i>	<i>Labour</i>
Very unlikely	50.1	44.6	41.8	43.1
Fairly unlikely	19.3	21.0	24.1	23.6
Likely	29.3	9.6	8.3	9.4
Don't know	<u>1.3</u>	<u>24.7</u>	<u>25.8</u>	<u>23.9</u>
total	100.0	100.0	100.0	100.0

The results reported in Table 1 suggest that almost all Northern Ireland citizens who are likely to vote have a clear opinion on Sinn Féin. Only one percent indicated that they did not know how likely they were to support the party. Exactly half indicated

¹ The limitations of these data should be stressed. The survey questions were fielded in 2009 and opinion may have moved somewhat since then. The survey questions do not mention anything about a Republic of Ireland presidential election. Rather the questions simply measure likelihood of voting for each of the parties that are likely to field presidential candidates. However, the advantages of the data should also be stressed. The author does not know of any other systematic attempt to gauge Northern Ireland citizens' likely support for parties they may run candidates in the next Irish presidential election.

that they were very unlikely to ever support the party, one fifth were fairly unlikely and almost three out of 10 indicated that they were likely (i.e. between 6 and 10 on the 10-point scale). The responses to the Republic of Ireland parties indicate that Northern Ireland citizens do not distinguish terribly much between Fianna Fáil, Fine Gael and Labour.

About one quarter simply do not know what to think about these parties, perhaps unsurprising given the hypothetical nature of the question. Between eight and 10 percent were likely to support each of these parties. Thus, the overall pattern to emerge is that the amount of people in Northern Ireland who are positively disposed to Sinn Féin is at least three times greater than the proportion who are likely to support any of the three main Republic of Ireland parties.

It is highly likely that there are stark differences between Catholics and Protestants in Northern Ireland regarding likelihood of supporting Sinn Féin, Fianna Fáil, Fine Gael and Labour. In Table 2 support levels are broken down by the Catholic/Protestant distinction.

Table 2: Northern Ireland citizens' likelihood of ever voting for...

	(Protestants Only)			
	<i>Sinn Féin</i>	<i>Fianna Fáil</i>	<i>Fine Gael</i>	<i>Labour</i>
Very unlikely	76.4	63.2	57.9	62.8
Fairly unlikely	19.0	14.5	17.8	12.8
Likely	2.9	2.1	3.3	4.5
Don't know	<u>1.7</u>	<u>20.2</u>	<u>21.1</u>	<u>19.8</u>
total	100.0	100.0	100.0	100.0

	(Catholics Only)			
	<i>Sinn Féin</i>	<i>Fianna Fáil</i>	<i>Fine Gael</i>	<i>Labour</i>
Very unlikely	14.6	22.5	23.0	19.7
Fairly unlikely	17.4	29.2	32.6	38.8
Likely	66.9	20.8	15.2	15.2
Don't know	<u>1.1</u>	<u>27.5</u>	<u>29.2</u>	<u>26.4</u>
total	100.0	100.0	100.0	100.0

Unsurprisingly there is very little support for Sinn Féin among Protestants (three percent) and Protestant support for Fianna Fáil, Fine Gael and Labour is equally low (between two and five percent). In contrast, two thirds of Catholics are likely to support Sinn Féin. Catholic support levels for Republic of Ireland parties are much higher than Protestant levels (between 15 and 20 percent) but are much lower than Catholic support for Sinn Féin. Hence, the overall picture to emerge from Table 2 is that Protestants are very unlikely, and equally unlikely, to support Sinn Féin, Fianna Fáil, Fine Gael or Labour. Catholics are highly likely to support Sinn Féin: two thirds

would do so compared to one fifth for Fianna Fáil and less than one fifth for Fine Gael and Labour.

In further analysis of the nature of Catholic support for these four parties, the difference between people who voted Sinn Fein in the Northern Ireland (European Parliament) election and people who voted for the SDLP is examined in Table 3. Unsurprisingly, this shows that Northern Ireland Sinn Féin voters are highly likely to be supportive of Sinn Féin, while SDLP voters are much less likely to be supportive. Much more interestingly, there is a substantial difference between SDLP and Sinn Féin voters regarding likelihood of ever voting for the Irish Labour party. Almost a quarter of the Social Democratic and Labour Party voters in Northern Ireland are likely to support their 'sister' party in the Republic, compared to only eight percent of Sinn Fein voters. Only marginal differences are evident regarding Fianna Fáil and Fine Gael: SDLP voters are slightly more favourably disposed than Sinn Féin voters to Fine Gael (and the reverse regarding Fianna Fáil).

Table 3: Northern Ireland citizens' likelihood of ever voting for...

	(Sinn Féin voters only)			
	<i>Sinn Féin</i>	<i>Fianna Fáil</i>	<i>Fine Gael</i>	<i>Labour</i>
Very unlikely	2.6	21.9	22.8	21.1
Fairly unlikely	7.9	28.9	33.3	40.4
Likely	88.6	19.3	13.2	7.9
Don't know	<u>0.9</u>	<u>29.8</u>	<u>30.7</u>	<u>30.7</u>
total	100.0	100.0	100.0	100.0

	(SDLP voters only)			
	<i>Sinn Féin</i>	<i>Fianna Fáil</i>	<i>Fine Gael</i>	<i>Labour</i>
Very unlikely	41.7	27.8	26.4	25.0
Fairly unlikely	30.6	30.6	33.3	31.9
Likely	26.4	19.4	16.7	23.6
Don't know	<u>1.4</u>	<u>22.2</u>	<u>23.6</u>	<u>19.4</u>
total	100.0	100.0	100.0	100.0

Appendix - Technical description of the survey methodology

A post-election telephone-based election study was conducted by Market Research Northern Ireland (MRNI) of 1013 respondents directly following the European Parliament election 2009, with sampling quotas set for age, sex and social class. The post election survey performs extremely well in capturing real world electoral behaviour. The turnout rate in the 2009 European Parliament election in Northern Ireland was 42.8 percent (reported as 45.1 percent in the survey).

In terms of party choice, in the election 26.0 percent voted for Sinn Féin (24.9 percent in the survey), 18.2 percent voted for Ulster Unionist Party (17.1 percent in the survey), 17.1 percent voted for the DUP (17.7 percent in the survey), 16.2 percent voted for the SDLP (15.8 percent in the survey), 13.7 percent voted for the TUV (12.9 percent in the survey), 5.5 percent voted for the Alliance (7.7 in the survey), 3.3 percent voted for the Green party (3.9 percent in the survey).

The representativeness of the survey is further investigated by comparing distributions on key variables to the results of the Northern Ireland Life and Times (NILT) 2009 survey which is based on random sampling. The NILT 2009 survey yields the following distribution on the political ideology question: unionist 32 percent, nationalist 24 percent, neither unionist nor nationalist 43 percent. This compares to 33 percent, 24.8 percent and 42.3 percent respectively in the survey analysed in this paper. On national identity the 2009 NILT survey yields the following percentages (with comparable figures from this paper's survey in brackets): Northern Irish 27 (28.5), British 35 (37.2), Irish 32 (29.2). In terms of constitutional preferences the 2009 NILT also offered 'independent state' as an option.

When the frequencies are generated in relation to the three main and directly comparable options the NILT percentages are as follows (with comparable figures from this paper's survey in brackets): Direct rule 18 (20.4), Devolved Assembly 56.7 (60.2), United Ireland 23.3 (19.3). Gschwend (2005: 88) argues that in order to demonstrate the validity of using a quota based sample (rather than a random selection based sample) 'scholars should gather as much external evidence as possible to argue that their achieved sample represents the population on as many dimensions as possible. The more evidence they are able to compile, the more confidence there is that their estimation results are robust even based on quota sample data.' The survey analysed in this paper, while based on quota sampling, replicates well real world voting behaviour and independently generated frequencies on a range of ethno-national issues derived from a random sampling based survey. Further analysis of the survey is reported in Garry (2012).

References

Gschwend, T. (2005) 'Analysing quota sample data and the peer-review process' *French Politics* 3: 88-91.

Garry, J. (2012) 'Consociationalism, regional integration and vote choice: Northern Ireland and the 2009 European Parliament Election' *Acta Politica* 47 (2): 113-128.

6.3 Views from MLA Convention members

After the presentations from Prof Colin Harvey and Dr John Garry of Queens University Belfast, a panel discussion took place involving MLA Convention members Deputy First Minister Martin McGuinness, Alban Maginness and Stewart Dickson followed by contributions from the floor of the Convention and participation by Ryan Feeney, Ulster GAA.

The addresses by the three MLA Convention members were made with passion, conviction and sincerity. Convention members were clearly engaged and fully aware of the importance and emotive context of this issue both from an historic and a contemporary perspective. Recognising the importance of this part of the Convention's plenary meeting and as a response to the obvious interest shown by its members, the Chairman decided to extend the session beyond the allocated time.

The key theme and backdrop to the discussion was the pre-eminence of the Peace Process and the Good Friday Agreement and the transformative changes that have taken place as a consequence - in Northern Ireland, in North/South relations and in British/Irish relations - and the possible implications of extending the right to vote in Presidential elections to the people of Northern Ireland.

Against this backdrop, 'connectiveness' and 'belonging' were other prevalent themes. Irish citizens resident outside the State are far more connected to 'home' than any previous generation. This is particularly the case for current economic emigrants who are in regular communication (via internet, etc.) with Ireland and maintain a keen interest in its current affairs (echoing the views of the participants in the Convention's global panel discussion earlier that morning).

Similarly, in an era of increasing cross-border mobility, this 'connectiveness' equally applies to people in Northern Ireland. Indeed, many in Northern Ireland particularly in the border counties are directly or indirectly affected by decisions taken in the South. An argument might be made that perhaps the proposed extension of the franchise should be more ambitious to include general elections.

The extension of the franchise in Presidential elections to include Northern Ireland would be an historic milestone which would have great resonance and meaning for the people of Northern Ireland. It could also be seen as an important act of reconciliation, an opportunity for the State to 'stretch out the hand of friendship' to all communities and traditions in Northern Ireland, propelling the Peace Process forward in a dynamic way.

The Good Friday Agreement gave the people of Northern Ireland the right to be Irish or British, or both. Extending the 'right to vote' to people there would be giving clear recognition of this reality. It would be a natural extension of the Agreement which at its core values equality, parity of esteem, tolerance and respect for all those who live in Northern Ireland and across the island of Ireland.

It could be seen as being a somewhat symbolic gesture but it would have an inestimable influence in helping repair the fractured relationship between North and South. It would be a modest but nonetheless dynamic step towards healing the divisions that still exist on the island of Ireland. It would be wholly in line with the Good Friday Agreement which is itself a dynamic political arrangement through which we must work to reach the goal of reconciliation on this island and between these islands.

A different perspective was offered suggesting that, on the contrary, an extension of the 'right to vote' as proposed had the propensity to cause a 'great deal of damage' to the Agreement, notwithstanding the almost universal support for it.

Many in Northern Ireland perceive the Agreement as a 'settlement', one which will have to last a long time. It is a compromise, often with ongoing consequences. While the Good Friday Agreement recognises Northern Ireland as part of the United Kingdom, it also recognises the possibility of constitutional change for Northern Ireland (and the United Kingdom and Northern Ireland's position within that) based on consent by referendums, both North and South.

In effect there is a delicate balance in the constitutional position of Northern Ireland that could be unsettled by extending the franchise as proposed. While the potential for change in the future, as provided for in the Agreement, cannot be ruled out a cautious approach on this issue was advised.

Potential difficulties and dangers might arise from the different traditions in Northern Ireland looking to different heads of state. Citizens in the South might well feel that by including votes from Northern Ireland the outcome of Presidential elections might be skewed, with the possibility of a backlash as a consequence – a scenario that might be avoided by adopting an electoral college type system. The debate on extending the 'right to vote' to people in Northern Ireland was described as perhaps placing the cart before the horse and requiring very careful consideration of how it might be perceived and on the possible outcomes and consequences. A simple non-territorial principle might be considered whereby where one lives and contributes is where one should wish to vote.

While the Good Friday Agreement acknowledges that Northern Ireland remains constitutionally a part of the United Kingdom in law, since coming into force it has changed the terms of how Northern Ireland is governed both in law and practice. In this context, extending the 'right to vote' to citizens in Northern Ireland would be fully consistent with the Good Friday Agreement and subsequent St. Andrews Agreement.

Should an extension of the franchise to people in Northern Ireland be perceived by some as an attempt by the State to impose a President on the whole island of Ireland, it was pointed out that Articles 2 and 3 of the Constitution (amended by referendum, consequent on the Good Friday/Belfast Agreement, to delete the

territorial claim over Northern Ireland) clearly sets out the jurisdiction of the offices of the State, including that of the President.

Presidential elections are different to general elections in that the focus is on individual candidates rather than on traditional party lines. Presidents over the past 20 years have been at the forefront of connecting with the Diaspora and in reaching out to both communities in Northern Ireland, where they have been welcomed and accepted by both traditions.

The role of President may be symbolic but it has greatly influenced the process of reconciliation. In this context it would seem right and fitting that people in Northern Ireland might be given some say in the political life of the State through having an equal right to vote in Presidential elections as other Irish citizens.

An extension of the 'right to vote' to people in Northern Ireland would not have a negative impact on the "inexorable course to peace". On the contrary, it should be seen as an opportunity to provide an additional dynamism to the development of North/South relations and to promoting reconciliation, equality and peace.

6. How does it work in practice? Presentation by Erin Baumann, UCD of the submission by the US Embassy

Erin Baumann, a US citizen living in Ireland, gave a presentation on practical and logistical issues associated with voting abroad. Erin's full presentation can be viewed here:

<https://www.constitution.ie/ConventionVideos.aspx?cid=40>

The US Embassy also provided a short Q&A on the subject:

Q. Who is eligible to request an absentee ballot to vote in a US election?

A. Almost all U.S. citizens 18 years or older who reside outside the United States are eligible to vote absentee for candidates for federal offices in U.S. primary and general elections. Restrictions may apply to those with felony convictions or who have been adjudicated to be mentally incompetent.

Q. How does an overseas voter request a ballot?

A. To vote from abroad, the individual needs to be registered to vote with local election officials in his or her state of legal (voting) residence, AND every year needs to request to receive absentee ballots.

There is one request form which serves both purposes - the Federal Post Card Application (FPCA).

Ballots are mailed approximately 45 days before the election. If a voter has followed all the right steps but still hasn't received the ballot 30 days before the election, he or she can complete and submit a Federal Write-in Absentee Ballot.

Q. How can an American who lives overseas succeed at registering with local election officials in the United States if he or she no longer has an address in any U.S. jurisdiction?

A. For voting purposes, one's state of legal residence is generally the state in which the individual resided immediately before leaving the United States, even if the person no longer owns or rents property or intends to return there in the future.

Twenty-one states and the District of Columbia specifically allow U.S. citizens who have never resided in the United States to register where a parent would be eligible to vote.

Q. How does an overseas voter return the completed ballot to the local election officials?

A. Ballots may be returned to local election officials through international mail, an express courier service, or through the U.S. Embassy or Consulate.

A number of states now allow the electronic return of voted ballots (fax or e-mail). If a ballot is returned by e-mail or fax, it should include a statement by the voter confirming that he or she is voluntarily waiving the right to a secret ballot.

Q. Does a citizen have to vote at an Embassy or Consulate?

A. No. While Consular Sections do provide information and assistance for overseas voters, information on overseas voting is widely available on-line and voters do not need to go through diplomatic missions to register, request a ballot, or submit an absentee ballot.

Does voting in a U.S election have any U.S. tax consequences?

Voting for candidates for *federal* offices does not affect an individual's **federal or state tax liability**. Voting for candidates for state or local offices could affect an individual's **state tax liability**.

Q. I live overseas and have no connections with any state of local government in the U.S. Can I just cast my vote for president and skip dealing with local-level election authorities?

The administration of elections is conducted at the local level, and even a voter only interested in federal level offices must vote through their local election authority. The election of the United States President is done through the Electoral College; the electors for the Electoral College are chosen at the state level.

7. Convention discussion

During the first session, the Convention members discussed arguments in favour of and against a Constitutional amendment to give citizens resident outside the State the right to vote in Presidential elections, and suggestions on how this could be organised.

Arguments in favour of a Constitutional amendment varied. Predominant was the idea that in many cases emigrants still retain an interest, stake and attachment in Ireland, and keep a connection beyond pure economics. Allowing emigrants to vote in Presidential elections, therefore, would be a measure of goodwill and a gesture towards this connectedness between Ireland and its diaspora. It would help make it a 'two-way relationship', said one participant. It would help 'regain the lost voices of an emigrant generation', another said.

Some said simply that citizenship should inherently imply the right to vote, this being a basic principle. Regarding concerns put forward that it may permit double-voting – voting rights in two separate jurisdictions – the point was made that many emigrants may be undocumented residents of other countries, and so may not have assumed voting rights in their new country of residence.

Others pointed out that emigration may be involuntary, necessitated through economic circumstances, and so may be temporary, with emigrants not having necessarily desired to leave Ireland, and intending to return to Ireland at an early stage. The amendment would allow emigrants to maintain and make real their Irish identity while abroad.

It was mentioned that many emigrants pay remittances, thereby contributing to the national wealth even while abroad. Emigrants are very often well-informed as to issues and current affairs back home, sometimes more so than citizens based in Ireland. In any case, said some, not all emigrants would vote, i.e. they would not overwhelm the domestic vote.

Another argument was that allowing the diaspora to vote for the President would enhance the institution of the Presidency. It would offer new voices and would have a positive influence. Indeed some criticized the move as insufficient and tokenism, suggesting that emigrants should be afforded the right to vote in general elections, too.

Among the arguments against a change in the Constitution, one of the more prominent was the concern regarding how much it would cost to extend the right to vote to emigrants, given the sheer size of the Irish diaspora. Others wondered if it would have a knock-on effect, in that it might lead to calls to allow emigrants to vote in general elections too. Residents have a higher stake in how the country is run, it was said. Many wondered if a change to the Constitution was necessary, and asked if legislation would not suffice. Would there be any benefit other than emotional, one asked. There was the risk of undue influence by the diaspora compared to citizens at

home, given that residents have a higher stake in how the country is run. Temporary absentee votes would therefore be a better idea.

In terms of how voting for emigrants should be organised, a recurring suggestion was to use a mix of e-voting and postal voting, although there was little clarity as to what form e-voting could take. Criteria put forward included requiring voters to have been resident in Ireland, to have been on electoral register, and for a shorter time limit to apply for voting in referenda than in Presidential elections, as it was felt that more would be at stake in the former. Regulation as to how it should be organised was a question for experts, others said.

The second session centred specifically on the right to vote for citizens resident in Northern Ireland. Arguments in favour of an amendment included the idea that an amendment would improve the diaspora's connection to Ireland. Some said simply that if Irish citizens abroad are to be given a vote then this must apply to Irish citizens resident in Northern Ireland too. On this point, some went further and said it would make more sense to give citizens in Northern Ireland the right to vote before including the general diaspora. Others disagreed, saying this would create different classes of citizens.

The move would show a generous attitude towards Northern Unionists, make people in Northern Ireland feel enfranchised if they are involved, and fulfill a promise of the Good Friday Agreement. Another point made was that if Northern citizens can run in Presidential elections, surely then they should be allowed vote in same. Such citizens see themselves as Irish, and should be afforded equal citizenship. It would be easily done through online voting.

Arguments against an amendment included the following: some expressed concern about non-Irish, i.e. British, citizens having a vote in Presidential elections; others wondered if a change could jeopardize peace in Northern Ireland, and expressed the view that there was a need to be sensitive to the practical case of Northern Ireland. It would be mere tokenism, said some participants. Assurances would be needed regarding security. There was confusion as to whether a constitutional change was necessary. It was suggested that the move would be impractical administratively, and there was the risk of fraud.

Other comments on the issue included the point that there should be no time limits for those in Northern Ireland (after which voting rights would expire), and that it could be done through postal voting. Arising from this point of view, there was also a feeling expressed that it would be difficult to apply a time limit for voting elsewhere if it could not be done in Northern Ireland. Some were wary of the idea of extending voting rights to include Dail elections. Others suggested that non-Irish Unionists may seek to 'cause trouble' by nuisance. The voting system should be made more inclusive for those in this jurisdiction before extending the right to others, it was said.

Appendix A: Convention on the Constitution Terms of Reference

<p>“Go gceadaíonn Dáil Éireann:</p> <p>Coinbhinsiún ar an mBunreacht a ghairm chun breithniú a dhéanamh ar na nithe seo a leanas agus chun cibé moltaí a dhéanamh is cuí leis agus chun tuairisciú do Thithe an Oireachtas:</p> <p>(i) téarma oifige na hUachtaránachta a laghdú go cúig bliana agus é a chur ar comhfhad leis na toghcháin áitiúla agus leis na toghcháin don Eoraip;</p> <p>(ii) an aois vótála a laghdú go 17 mbliana;</p> <p>(iii) an córas toghcháin don Dáil a athbhreithniú;</p> <p>(iv) an ceart a thabhairt do shaoránaigh a bhfuil cónaí orthu lasmuigh den Stát chun vótáil i dtoghcháin Uachtaráin in ambasáidí de chuid na hÉireann, nó ar shlí eile;</p> <p>(v) foráil maidir le pósadh comhghnéis;</p> <p>(vi) leasú a dhéanamh ar an gclásal i dtaobh ról na mban sa teaghlach agus rannpháirteachas níos mó ag mná sa saol poiblí a spreagadh;</p> <p>(vii) rannpháirteachas na mban sa pholaitíocht a mhéadú;</p> <p>(viii) an cion arb é diamhaslú é a bhaint as an mBunreacht; agus</p> <p>(ix) tar éis na tuarascálacha thuas a chríochnú, cibé leasuithe iomchuí eile ar an mBunreacht a bheidh molta aige; agus</p> <p>go dtugann sí dá haire:</p> <p>— gur 100 duine mar a leanas a bheidh i</p>	<p>That Dáil Éireann:</p> <p>approves the calling of a Convention on the Constitution to consider the following matters and to make such recommendations as it sees fit and report to the Houses of the Oireachtas:</p> <p>(i) reducing the Presidential term of office to five years and aligning it with the local and European elections;</p> <p>(ii) reducing the voting age to 17;</p> <p>(iii) review of the Dáil electoral system;</p> <p>(iv) giving citizens resident outside the State the right to vote in Presidential elections at Irish embassies, or otherwise;</p> <p>(v) provision for same-sex marriage;</p> <p>(vi) amending the clause on the role of women in the home and encouraging greater participation of women in public life;</p> <p>(vii) increasing the participation of women in politics;</p> <p>(viii) removal of the offence of blasphemy from the Constitution; and</p> <p>(ix) following completion of the above reports, such other relevant constitutional amendments that may be recommended by it; and</p> <p>notes that:</p> <p>— membership of the Convention will</p>
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<p>gcomhaltas an Choinbhinsiúin:</p> <ul style="list-style-type: none"> — Cathaoirleach a bheidh le ceapadh ag an Rialtas; — 66 shaoránach atá i dteideal vótáil i reifreann, arna roghnú go hamasach sa chaoi go mbeidh siad ionadaitheach do shochaí na hÉireann i gcoitinne; — comhalta de Thionól Thuaisceart Éireann as gach páirtí de na páirtithe polaitíochta sa Tionól a ghlacfaidh le cuireadh ón Rialtas; agus — comhaltaí de thithe an Oireachtais, chun ionadaíocht neamhchlaonta a dhéanamh ar na Tithe; — féadfar ionadaithe a cheapadh faoi réir na gcritéar roghnóireachta thuas, agus beidh na hionadaithe sin in ann páirt a ghlacadh sna himeachtaí agus vótáil faoina n-ainm féin; — comhaontóidh an Coinbhinsiún a rialacha níos imeachta féin d’fhonn a ghnó a sheoladh go héifeachtach ar shlí a bheidh chomh heacnamúil agus is féidir; — beidh aird chuí ag an gCoinbhinsiún ar Chomhaontú Aoine an Chéasta agus ar Chomhaontú Chill Rímhinn; — tráth nach déanaí ná dhá mhí tar éis dháta na chéad éisteachta poiblí a thionólfaidh an Coinbhinsiún tabharfaidh an Coinbhinsiún tuarascáil do Thithe an Oireachtais agus déanfaidh sé moltaí dóibh ar gach ceann de na nithe atá leagtha amach ag (i) agus (ii) thuas; 	<p>consist of 100 persons as follows:</p> <ul style="list-style-type: none"> — a Chairperson to be appointed by the Government; — 66 citizens entitled to vote at a referendum, randomly selected so as to be broadly representative of Irish society; — a member of the Northern Ireland Assembly from each of the political parties in the Assembly which accepts an invitation from the Government; and — members of the Houses of the Oireachtas, so as to be impartially representative of the Houses; — substitutes may be appointed subject to the selection criteria above, who will be entitled to contribute to the proceedings and vote in their own name; — the Convention will agree its own rules of procedure for the effective conduct of its business in as economical manner as possible; — the Convention will have appropriate regard to the Good Friday Agreement and the St. Andrews Agreement; — not later than two months from the date of the first public hearing held by the Convention, the Convention will make a report and recommendation to the Houses of the Oireachtas on each of the matters set out at (i) and (ii) above;
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<p>- tuairisceoidh an Coinbhinsiún do Thithe an Oireachtais agus déanfaidh sé moltaí dóibh ar gach ní eile a luaithe a bheidh a phléití críochnaithe aige agus, in aon chás, tráth nach déanaí ná bliain amháin ó dháta na chéad éisteachta poiblí;</p> <p>— féadfaidh an Coinbhinsiún aighneachtaí a iarraidh agus glacadh leo ó chomhlachtaí leasmhara agus lorgóidh sé cibé comhairle shaineolaíoch is dóigh leis is inmhianaithe;</p> <p>— déanfar gach ní a bheidh os comhair an Choinbhinsiúin a chinneadh trí thromlach de vótaí na gcomhaltaí a bheidh i láthair agus a vótálfaidh, seachas an Cathaoirleach a mbeidh vóta cinniúna aige nó aici i gcás comhionannas vótaí; agus</p> <p>— tabharfaidh an Rialtas freagra san Oireachtas laistigh de cheithre mhí ar gach moladh a dhéanfaidh an Coinbhinsiún agus, má tá sé chun glacadh leis an moladh, cuirfidh sé an creat ama in iúl ar lena linn atá sé ag brath aon reifreann gaolmhar a sheoladh.</p>	<p>— the Convention will report and make recommendations to the Houses of the Oireachtas on each remaining matter as soon as it has completed its deliberations, but in any event not later than one year from the date of the first public hearing;</p> <p>— the Convention may invite and accept submissions from interested bodies and will seek such expert advice as it considers desirable;</p> <p>— all matters before the Convention will be determined by a majority of the votes of members present and voting, other than the Chairperson who will have a casting vote in the case of an equality of votes; and</p> <p>— the Government will provide in the Oireachtas a response to each recommendation of the Convention within four months and, if accepting the recommendation, will indicate the timeframe it envisages for the holding of any related referendum.”</p>
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Appendix B: Rules and procedures

1. Timing, Frequency and Openness of meetings

Meetings of the Convention will generally take place in a hotel at weekends (Saturdays and Sundays) during 2013. At least one meeting will be held outside Dublin. It is proposed to hold one meeting per month, with the exception of July and August. Members of the public will not have access to the meetings but the plenary sessions will be streamed live at www.constitution.ie.

2. Role and duties of the Chairperson

The Chairperson shall be the sole judge of order and shall be responsible for the smooth running of the Convention in accordance with these rules and the terms of the Resolution of the Houses of the Oireachtas of 10 July, 2012. He shall engage such support services as are necessary for the effective administration of the forum and, from time to time, make such recommendations to the Convention on the management of business as he sees fit.

3. Work Programme

The work programme shall be agreed by the Convention on foot of a proposal by the Chairman. The programme shall be reviewed regularly but any subsequent changes shall only take effect with the agreement of the Convention.

4. Steering Group

A Steering Group shall be established to support the Convention in the efficient and effective discharge of its role and functions. In practice, the Group shall assist with planning and operational issues associated with the work programme. The Steering Group shall consist of the Chairperson and representatives from the political parties, the public members and such other representatives as the Convention sees fit.

5. Debates/speaking arrangements

The format and structure of speaking arrangements shall be agreed in advance and as a general principle, all contributions by members should be brief, respectful and non-repetitive. Any member wishing to speak should indicate and will be called upon by the Chairperson, who will endeavour to ensure fairness in the allocation of speaking time to all members. In an effort to make most efficient use of time in plenary session, members are encouraged to use the opportunity of roundtable discussions to express their views, ask further question of the experts and deliberate with one another. These discussions can be reflected in a brief report to the plenary session.

6. Tabling and Circulation of Papers

All documents received by the Convention secretariat shall be made available to all members of the Convention via the www.constitution.ie website. Alternative arrangements will be made for those members who are not in a position to access the site. Deadlines for receipt of submissions and circulation of documents in advance of plenary meetings should be agreed by the Convention.

7. Presentations to the Convention

Following receipt of submissions on any matter, the Convention may choose to hear oral presentations from any representative group or individual to assist in its deliberations. For the efficient administration of the process, the Steering Group may wish to make recommendations in relation to the selection of interested bodies to present to the Convention. Invitations shall be issued by the Chairperson on behalf of the Convention.

8. Voting

Votes, if required, shall be by secret ballot of the members present and voting. Votes shall be overseen by the Chair with the support of at least 2 members of the Convention.

9. Advisory Panel

The Convention shall establish an advisory panel of academics, constitutional lawyers and others with demonstrated expertise, for access to such expert advice as it considers desirable. The process for selection and appointment of any such advisers shall be agreed by the Convention, on the advice of the Steering Committee.

10. Irish language facilities

A simultaneous translation service from Irish into English will be available for all plenary sessions of the forum.

11. Press and Communications

Authorised members of the media shall be permitted to attend plenary sessions of the Convention, subject to such terms and conditions as may be laid down by the Convention. As a general principle, the Chairperson shall act as spokesperson in relation to administrative or procedural matters.

12. Reports

Reports of the Convention shall be published as soon as practicable after a decision has been reached at each meeting. It shall be possible to finalise the detail of the content of each report other than in plenary session, subject to the agreement of the Convention.

13. Review of Procedures

The Chairperson shall consult with members of the Convention and other interested parties and conduct such reviews of the procedures and administration of the Convention as he sees fit.

14. Convention secretariat

The Chairperson shall have direction and control over the staff of the secretariat and other supports and resources available, subject to the wishes of the Convention.