



A Preview of the Forthcoming International IDEA Handbook on
External Voting



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Introduction

The globalization of political, personal and professional life, the spread of democracy throughout the world and a rise in migration have all contributed to increasing interest in the voting rights of diplomats, members of the armed forces serving overseas, refugees, migrant workers, students and other people who are temporarily or permanently absent from their own country. While the constitutions of many countries guarantee the right to vote for all citizens, in reality electors who are outside their home country when elections take place are often disenfranchised due to a lack of procedures enabling them to exercise that right.

This Handbook offers a comparative analysis of the practice of external voting and the processes by which mechanisms to enable electors to vote from abroad are introduced and amended. It is both a source of information and a practical guide for those thinking of introducing or improving external voting. 'External voting' is defined as the casting of a vote by an elector who is permanently or temporarily outside the territory of the country in which she/he is entitled to vote.

The case for external voting is usually presented as a question of principle, based on the universality of the right to vote. In reality, however, the introduction of external voting is enabled by legislation passed by elected politicians. While there have been a variety of reasons for the adoption of external voting legislation, almost all have been the result of political impetus, and many have been controversial and even nakedly partisan.

Almost 100 countries and territories in the world have provisions for external voting for their electors who are abroad, permanently or temporarily. Some countries have adopted legal provisions but have yet to apply them, as in the case of Angola, Bolivia, Greece and Nicaragua.

While it is most common to allow it for national elections, external voting can also apply to local and regional elections and referendums. In some countries, electors abroad constitute a special electoral district or districts with their own seats in the elected assembly.

While external voting programmes exist to enfranchise citizens abroad, restrictions sometimes apply, for a variety of political, logistical and administrative reasons. These limitations on eligibility and participation range from the purpose or length of a person's stay abroad to requirements for a minimum number of electors to be registered in the same location abroad in order for external voting to be organized. The practical arrangements for external voting often face limitations in terms of financial, administrative and human resources.

Along with the type of election for which it is allowed and possible restrictions, the procedures for external voting can also vary. To date, the most commonly used voting method is voting in person at designated places, such as diplomatic missions. Other countries allow voters abroad to participate by post or by proxy. Still others use a combination of some or all three voting methods. In future, e-voting may add a fourth option. The geographical dispersion of potential voters, estimated levels of participation, relations with countries hosting eligible voters, and the number and location of diplomatic missions are among the factors that can influence the choice of voting procedure.

International IDEA, the Federal Electoral Institute of Mexico (IFE), and the Electoral Tribunal of the Federal Judicial Power of Mexico (TEPJF) have come together to jointly produce this Handbook, one of the series on electoral design topics which IDEA has pioneered. This partnership combines IDEA's experience in producing global knowledge on electoral matters in a practical form for democracy builders on the ground and the ground-breaking work of the IFE and the TEPJF in the course of the introduction of external voting in the 2006 Mexican presidential elections. This Handbook maps, explains and compares external voting provisions worldwide. It analyses existing legislation, methods of implementation, statistics and case studies. It is a unique comparative product for anyone involved in improving present electoral structures, planning for external voting processes, or participating in debate.

On both theoretical and practical levels the Handbook seeks to contribute to the discussion of the basic principle of representation in democracies and how to operationalize and balance criteria such as inclusiveness and effectiveness. IDEA hopes that it will also create greater general understanding of electoral and institutional design issues on the part of legislators, electoral management bodies (EMBs), political parties and other participants debating change.

External voting programmes can increase participation in democratic processes and strengthen democratic institutions. This increase in participation can lead to greater representation, accountability, and legitimacy of governments. It is our hope that this Handbook will engage stakeholders in debate and further discussion on the topic in order to improve present structures, future readiness and practice in external voting.

Chapter 1

External Voting: A Comparative Overview

To offer a general and comparative overview of external voting worldwide, the authors carried out an in-depth investigation of the 191 independent countries that are members of the United Nations and in addition a number of dependent or associated territories. Almost 100 of these countries and territories have legal provisions that expressly allow their citizens or electors who are residing outside the country, permanently or temporarily, to exercise their right to vote from abroad.

External voting is most common in Europe, but is found in almost every region of the globe. The comparative study reviews differences between external voting programmes in terms of the types of election to which they apply, eligibility requirements to vote from abroad, and procedures used for registration and voting.

External voting applies to three main types of election: national elections (including presidential elections), local elections, and electoral processes for instruments of direct democracy such as referendums and recalls. There are also a variety of procedures in use to enable electors to vote from abroad, including personal voting (the predominant procedure), postal voting, voting by proxy, or a mix of two or more different procedures.

Countries and territories vary greatly in the degree of coverage or inclusiveness of mechanisms used for external voting. Some include requirements related to citizenship, residency, or methods of voter registration. Twenty-six countries have formal restrictions on eligibility for an external vote, involving the circumstances of the stay abroad (e.g. the occupation of the citizen) or the length of time for which the citizen has been out of the country.

In other cases, technical and administrative limitations, rather than formal legal mechanisms, restrict the applicability of external voting. Such administrative limitations can include conditions for proof of identity or the extent and geographical distribution of the country’s network of diplomatic missions where these facilities are used as registration and voting sites.

Seven countries not only allow their citizens abroad to participate actively in some electoral processes, but also enable them to elect their own separate representatives to national legislatures, enabling promotion of their own legislative agenda and direct intervention from an overseas viewpoint in the debates and processes of political decision making on topics of national interest.

The chapter includes a number of tables that illustrate country by country the types of election in which citizens abroad are able to vote, restrictions that may apply, the forms of government (parliamentary and presidential) that employ external voting, and voting procedures.

Table 1.1: Countries and Territories with Current Provisions for External Voting

(Seven states and territories with special status in italics)

Continent	Country
Africa (21) (23.3%)	Algeria, Botswana, Benin, Cape Verde, Central African Republic, Chad, Côte d’Ivoire, Gabon, Ghana, Guinea (Conakry), Lesotho, Mali, Mozambique, Namibia, Niger, São Tomé and Príncipe, Senegal, South Africa, Togo, Tunisia, Zimbabwe
Americas (13) (14.4%)	Argentina, Brazil, Canada, Colombia, Dominican Republic, Ecuador, Falkland Islands, Guyana, Honduras, Mexico, Peru, United States, Venezuela
Asia (16) (16.5%)	Afghanistan, Armenia, Azerbaijan, Bangladesh, Georgia, India, Indonesia, Iraq, Israel, Japan, Kazakhstan, Malaysia, Philippines, Singapore, Thailand, Uzbekistan
Europe (36) (40%)	Austria, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Gibraltar, Guernsey, Hungary, Iceland, Ireland, Italy, Jersey, Latvia, Lithuania, Luxembourg, Isle of Man, Moldova, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Slovenia, Spain, Sweden, Switzerland, Ukraine, United Kingdom
Pacific (6) (5.6%)	Australia, Cook Islands, Fiji, Marshall Islands, New Zealand, Tokelau

Note: As of June 2006. This information may be updated.

Chapter 2

The History and Politics of External Voting

The earliest known use of external voting took place in 1862, when Wisconsin became the first of a number of US states to enact provisions to allow absentee voting by soldiers fighting in the Union army during the US Civil War. Outside the military context, New Zealand introduced absentee voting for seafarers in 1890, and Australia adopted it in 1902, although under operating arrangements that made its implementation practically impossible. World War II (1939–45) saw further momentum towards external voting by active servicemen, including the introduction by Canada of proxy voting on behalf of prisoners of war by their closest relatives for that country's 1945 general election.

An analysis of the history and politics of external voting highlights some weaknesses and areas where lessons learned can be applied to enhance future mechanisms facilitating external voting. For example, history shows that the fear of fraud among overseas votes that external votes would make fraud easier has sometimes been well-founded. France abolished postal voting in 1975 following the incidence of fraud. The historical analysis shows further that external voting provisions have not always proved to be sustainable.

A historical survey of external voting cannot be separated from politics. The importance of political factors in the adoption and design of external voting provisions was accentuated during the democratic transitions of the 1990s. Diaspora communities may be active in seeking a post-transition role, and may be particularly influential when they are involved in the domestic politics of major donor countries. Transition agreements, often mediated and even implemented by the international community, can contain important and sometimes controversial provisions for external voting. Furthermore, in a transitional context, the question of who implements external voting can be highly politically sensitive.

Political considerations are not only important in determining whether external voting takes place: they are also influential in defining its form. Many decisions relating to external voting are linked to electoral system design, another highly political aspect of democratic reform and democratic transition. The desire to promote external voting may constrain the options for electoral system design.

Conversely, the adoption of a particular electoral system may limit the options for external voting mechanisms. This can be illustrated by considering three basic options for external voting: personal voting at an external polling site; remote voting by post, fax, or some form of electronic voting; and voting by proxy.

The values of electoral inclusion, electoral system sustainability and electoral integrity may pull in different directions, and a balance needs to be chosen.

Chapter 3

The Legal Framework and an Overview of Electoral Legislation

This chapter analyses legal frameworks and electoral legislation that seek to ensure the political rights of persons living outside their country of origin. One perspective suggests that, in our globalized world, the principle of universal suffrage can only be fully achieved where citizens living abroad are entitled to vote in elections of the home country. This argument is based on international declarations in which the universal, equal, and secret suffrage is recognized as an inalienable human right.

The introduction of legislation for external voting is likely to give rise to political controversy. There are solid theoretical arguments both in favour of and against external voting. On the one hand, the recognition of the principle of universal suffrage is regarded as a civil right, which can be realized by the widening of political participation.

On the other hand, external voting contradicts residency requirements of classic voting rights and implies the electoral participation of individuals who may not be directly affected by election results. Furthermore, there is a danger that the debate on external voting may overshadow consideration of the political inclusion of foreign citizens in their country of residence.

The enfranchisement of citizens abroad has two dimensions: the contribution the popular vote makes to the creation of state institutions, and the importance of electoral participation to the legitimacy of the elected institutions.

Legal provisions for external voting at the state level are found primarily in electoral laws and the administrative regulations that implement them. Although there are a few notable exceptions, in reality external voting is seldom provided for explicitly in constitutions and is only enacted through subsequent legislation.

The legal and administrative provisions that are decided upon should reflect contextual factors. Some of the institutional choices surrounding the design of an external voting system include determining who can be registered as an external voter, how these voters will be assigned to electoral districts, and what procedure or mix of procedures will be used for these electors to actually cast their ballots.

An important component of any legal framework for external voting is electoral justice. The transparency of electoral registration, the equality of electoral competition, the legal conduct of the act of voting, and the control mechanisms to ensure all of these, are essential. The degree of fairness, transparency and electoral justice of external voting bears on the entirety of the electoral process, particularly where results abroad may deviate significantly from the in-country results—indeed, Italy's external voters in one way determined the result of the very close election of 2006 as the number of external voters was larger than the margin of victory.

Chapter 4

Entitlement to Vote as an External Voter

Entitlement to cast an external vote is usually linked to the general entitlement to vote that applies to all eligible voters in a country. However, there are sometimes extra requirements imposed on external voters, such as a minimum period of previous residence or an intention to return to the country. In some cases only limited groups of external voters may be eligible to vote, such as diplomats, other public officials and members of the armed forces, and their families. Some countries extend the right to vote to all their citizens living abroad, regardless of the length of time they have spent out of their home country, while others impose time restrictions or require evidence of an intention to return.

Eligibility to vote is usually linked to citizenship. The definitions of citizenship that are applied can also affect which classes of people are eligible to cast external votes. This chapter will discuss citizenship in this context. Citizenship can be defined as the status of a citizen. A citizen can be defined as a member of a state or a nation. Citizenship carries with it a range of rights and duties. One of the key rights of a citizen who is of voting age is the right to vote.

Citizenship can be conferred on a person in a number of ways. A person can become a citizen by descent, by place of birth, or by naturalization.

External voters can be categorized according to a range of typical residential circumstances. The more common categories include:

- citizens resident outside their home country who do not have a fixed intention to return to that country;
- citizens temporarily resident outside their home country who intend to return to live in that country;
- citizens in defined occupations, such as military personnel, public officials or diplomatic staff (and their families);
- citizens resident outside their home country who live in specified countries and who may be subject to special circumstances, such as refugees or migrant workers; and
- non-citizens who have been granted the right to vote in a country through residency but are temporarily outside that country.

These categories can be further qualified by limiting the right to vote externally by imposing time limits on the length of absence from the home country.

For example, Belarus, Bosnia and Herzegovina, Estonia, Norway, Poland, South Africa, Sweden and the United States of America all give their citizens living abroad the right to register to vote regardless of the amount of time they have spent away from the country. Countries that impose time limits on this right include Germany (25 years for persons resident in countries that are not members of the Council of Europe), New Zealand (three years for citizens, 12 months for permanent residents) and the United Kingdom (15 years).

Once a person's eligibility to cast an external vote is established, there is usually a second requirement to be met—the need to be registered on the electoral register in order to show that he or she is entitled to vote. Special registration requirements may be necessary for external voters, or external voters may be required to register in the same way as all other voters. Registration requirements thus introduce a second stage into the entitlement process and may serve to limit the numbers of persons who are eligible to cast an external vote.

Chapter 5

The Implementation of External Voting

The practical implementation of external voting is complicated by factors such as the number of electors, their locations, the distances involved and the complexity of the voting system. Election planning becomes a two-tiered process as the tasks involved in organizing an election in-country are duplicated, under very different circumstances, for external voting. An EMB may choose to implement an external voting programme itself, or opt to contract it out.

At each stage of the external electoral process, emphasis needs to be placed on implementing procedures and processes that are not only faithful to the legislation but also as close as possible to those in place for in-country voters.

The four main options for the procedure for voting from abroad—voting by proxy, in person, or voting via the post or electronically—each has its own advantages. Equally, each poses unique challenges to the implementation of external voting. Regardless of the procedure for voting, external voting programmes often require additional time compared to in-country procedures at both the registration and the voting stages, particularly where electors are scattered over a wide geographical area.

There are additional complications to the administrative aspects of holding an election, such as the procurement and distribution of election materials and equipment, when external voting takes place. Furthermore, security and the control of sensitive materials require special attention. As administrative problems or delays in the implementation of external voting may easily be perceived as deliberate acts of fraud, it is important to eliminate any cause for suspicion when planning a programme to enfranchise citizens abroad.

The registration of voters abroad also requires particular considerations. While electoral registers are generally a matter of public record, the data to be published in the registers need to be agreed. Procedures also need to be established for the appeal process to ensure that it is accessible for external voters and workable within the overall electoral timetable. Furthermore, all measures that are used internally to protect the secrecy of the ballot need to be duplicated abroad.

The implementation of an external voting programme is almost certain to add to the cost of an election, particularly in the areas of security, staffing, and the provision and transport of materials. While the cost per voter will be higher than for in-country voters, any financial costs should be considered alongside the non-financial costs of not conducting external voting, such as the implications for the consolidation of democracy, peace and stability, particularly in post-conflict societies.

Chapter 6

External Voting and Participation

Political participation can take many forms, including participation in political parties or political activities such as demonstrations or campaigns. Electoral participation in the form of voter turnout is perhaps the most tangible, not to mention measurable, form of participation. At its core, external voting is geared towards increasing political participation and thereby contributing to the legitimacy and accountability of democratic governments.

When external voting is permitted, rates of registration and turnout are almost always lower than they are within the home country. Even in Brazil, where voting is compulsory for citizens who are temporarily or permanently abroad, only about 5 per cent of eligible external voters participate. Mexico's newly launched external voting programme has seen an unexpectedly low registration rate considering the large number of Mexicans living in the United States.

Factors that influence lower turnout for external voters are political, administrative, institutional and financial. For example, if polling stations are few in number or are difficult to access, this may contribute to low levels of participation. Other restrictions or preconditions, such as documentation requirements in the host country (Mexico) or stating one's intention to return (the Philippines), can also make participation less attractive than it otherwise would be.

One aspect of turnout is that in some cases external voters can have greater influence over election results than their counterparts in-country. Simple numbers may account for this. For example, more Cook Islanders live outside the country than in it. In the Marshall Islands, the majority of the population vote from somewhere other than their place of residence, not only those resident or working temporarily overseas, but also inter-island migrants, and absentee ballots can determine the outcome of elections. But there are more complex cases. In cases where there is a lack of access to public media or other obstacles to free elections within a country, a diaspora can be more politically active than voters inside a country.

Seven countries have reserved seats in the legislature for external electoral districts. Such reserved seats are set aside in part to increase the participation of citizens living abroad and strengthen their interest in politics at home. Where this is the case, if external voter turnout is low, fewer votes will influence the outcome of the election for a parliamentary seat compared to internal constituencies, giving external votes more weight.

Levels of participation also influence decision-making processes regarding the introduction and abolition of external voting. Botswana, for example, is considering abolishing its external voting provisions as a result of the low turnout rates among external voters and high costs associated with the arrangements.

Chapter 7

Host Country Issues

Despite the contribution of external voting to the representativeness and legitimacy of democratic governments, external voting has not been used extensively until recently, not only because it is perceived as straining financial, security and human resources, but also because of the complexities of negotiating with governments which may be hosting potential eligible voters, particularly when those voters are refugees or undocumented migrant workers.

Negotiations with host countries can be highly politically charged, particularly where diasporas are thought to represent a political ideology and host countries may have a stake in the outcome of a neighbour's election. Host countries may also express concerns about security, stability and sovereignty that must be addressed. Some governments may only allow external voting to occur within their borders by post or may have policies in place which ban foreign political campaigning.

However, a growing international debate and commitment to strong, stable democracies that have high levels of citizen participation is making more governments willing to negotiate terms to facilitate the enfranchisement of guests on their soil.

In most cases of external voting, the roles and responsibilities of host countries have been minimal, being confined to the role of facilitator rather than that of organizer or implementer. Host countries can assist in providing and protecting data, ensuring the

freedom of movement (of election materials, staff, observers), and providing necessary permits and documentation. The majority of costs are borne by the country of origin or the international community.

The implementation of external voting presents a number of organizational and political issues, many of which can be addressed through the establishment of certain institutional arrangements in coordination with host countries. For example, where countries are making decisions regarding the location of registration and polling sites, host countries can provide useful demographic data. Cooperation between host countries and the country of origin is also critical to ensuring that the external voting is conducted in an atmosphere free of violence, intimidation or coercion.

Where agreements are signed between countries a number of standards are developing. Agreements can stipulate that participation in an external voting programme does not affect the political, economic or social inclusion of individuals within their host country in any way. Where host countries may play a role in the registration process through providing demographic data, it is important that protections be put in place to prevent registration data from being used for non-electoral purposes. Agreements also often include specific security stipulations.

Chapter 8

The Political Rights of Refugees and Displaced Persons: Enfranchisement and Participation

This chapter describes the processes of enfranchising refugees and internally displaced persons (IDPs) and allowing them to participate in the political processes of their home countries. It presents pertinent issues, lessons and principles that provide the basis for establishing an international policy framework.

The involvement of refugees in electoral processes is particularly significant in elections that are held under international supervision as part of a post-conflict transition to democracy. In such situations electoral and political processes must be pluralistic and inclusive if they are to have credibility. To the extent that refugees are deprived of their political rights, the credibility of the electoral process must be considered to be deficient.

The standards and best practices of enfranchisement for refugees and asylum seekers who are beyond the borders of their home countries are also largely applicable to IDPs and returnees.

Where disenfranchisement has been a motive for one group to displace another, such conflict-forced migration can be mitigated and the usefulness of this strategy in

ethnic conflict can be reduced by maintaining consistent international responses to guarantee that elections provide for full political participation by refugees.

In post-conflict situations, elections are frequently used as a means of facilitating the repatriation and reconciliation of displaced populations. The election process serves to reunite a conflict-torn country into common institutions, incorporating former battlefield antagonists into the political arena. Registration to vote can be a first step in the re-establishment of individual political identity.

The political rights of refugees are defined in numerous international and regional conventions. These documents clearly demonstrate that refugees are afforded full rights of citizenship and political participation, including membership in political parties, the right to stand as candidates for election, access to election information, and enfranchisement. Despite these covenants, however, refugees face an array of obstacles which must be surmounted, including intimidation, physical obstacles, and difficulties in accessing information.

A regulatory framework must be established to manage programmes for the enfranchisement of refugees. This framework needs to outline rules regarding who is entitled to vote, the type of election in which these electors will participate, systems of representation, and security. Political and logistical requirements must also be considered, including agreements between countries, and access to sufficient resources; and close attention must be paid to the politics of displacement and its potential ramifications for any programme to enfranchise the displaced.

Chapter 9

The Political Rights of Migrant Workers and External Voting

The international phenomenon of migration has reached absolute figures never seen before and is presenting unprecedented challenges. Among these challenges is how to ensure that an intrinsic right of citizenship—the right to participate in the political affairs of one’s home country—is recognized in the case of citizens working abroad. The available evidence suggests that in many cases, particularly in emerging or restored democracies, the majority of the potential beneficiaries of external voting are migrant workers living abroad.

A series of international legal instruments exist that expressly recognize the political rights of migrant workers. In practice, however, the realization of these rights is difficult, particularly where migrant workers may lack documentation in their host countries.

Awareness and debate surrounding the political rights of migrant workers have been increasing in past decades. However, many countries have only recently begun to adopt mechanisms for external voting: the Philippines and the Dominican Republic first applied external voting in 2004 and Mexican citizens will be able to vote from abroad for the first time in 2006.

Where countries have adopted external voting to enfranchise significant populations of migrant workers, its implementation can vary greatly, particularly concerning who is eligible to participate, how eligible electors can register, and the procedures by which votes will be cast. For example, some countries may require that in order to be eligible to register to cast a vote abroad one must be documented in the host country, while others may extend the vote to their citizenry abroad regardless of documentation or dual citizenship issues.

Migration poses unique logistical and political challenges to external voting programmes, including the diverse geographical distribution patterns associated with migration. Electoral regulations and procedures need to be flexible and innovative in order to meet these challenges. Regulations also need to provide for the widest possible coverage in order to enfranchise a diaspora which combines patterns of geographical concentration and dispersion.

The political economics of migration can also mean that the regulation of campaign activities and the administration of electoral justice are particularly sensitive issues among migrant worker communities. Procedures and regulations for campaigning and electoral justice must be carefully planned and implemented.

Where a country’s electoral system does not enjoy the confidence of the population, reforms may be required in order to ensure that the application of electoral laws to migrant worker communities will have legitimacy in the eyes of public opinion and external voting for migrant worker communities may add to pressure for reform.

Chapter 10

Observation of External Voting

The observation of elections, particularly in transitional or post-conflict elections but also in established democracies, has become increasingly common. International standards and principles for election observation are developing. Different forms of election observation can be conducted by domestic organizations, regional or international organizations, inter-governmental organizations, and political parties.

Observation and reporting have three main purposes: to assess the election against agreed or accepted standards; to provide a presence and visibility which will limit opportunities for irregularities and deter fraud; and to offer analysis, reporting and recommendations to a variety of audiences.

Determining when to observe external voting and developing methodology to conduct the observation can be difficult processes for observation groups. However, emerging standards indicate that, if an election is being observed, an assessment of external voting is an integral part of the process.

External voting programmes are often controversial. Where a main function of observation teams is to deter fraud and build confidence in the process, it is critical to observe external voting. However, external voting can pose unique challenges to election observation teams. The process may be difficult to observe as external votes are often not cast in person and the arrangements can cover large geographical areas. Where external voting is to be observed, election observation groups may require more time, larger budgets, and greater human resources.

The process of observing external voting has a number of possibilities and limitations. Where voting is done remotely by post, for example, observers must review the verification of registers of external voters, the distribution of voting material, the reception and the verification of these materials, and the count. If votes are cast in person in a controlled environment, how far voting can be observed becomes a question of resources.

If voting is electronic, observers must assess the process of implementing the system, including the rules for verifying the identity of voters, the audit trails, the reliability of the system, and the potential for manipulation. Information technology experts may be brought in to assess parts of the process, but full validation of an e-voting system will be next to impossible for any observation mission to perform and groups must avoid giving any false impression that the systems have been validated against international standards.

Chapter 11

E-Voting and External Voting

Electronic voting, or e-voting, is the option of using electronic means to vote in referendums and elections, including polling place e-voting and remote e-voting. Remote e-voting options include voting over the Internet, and the use of personal digital assistants (PDAs) or telephones or mobile phones to cast a vote electronically.

This chapter reviews six case studies where countries have considered using remote e-voting for external voters. The common denominator of these six cases is the wish to make it easier for their citizens abroad to participate in national elections and referendums. In that respect, external voters, be they military, students, migrant workers, or other diasporas, are considered to be one of the most suitable target groups for remote e-voting.

When it comes to enfranchising citizens abroad, e-voting has a number of advantages and drawbacks. A significant benefit of remote e-voting is that it can sometimes replace other more expensive and time-consuming forms of voting from abroad, such as voting at diplomatic missions or by post. E-voting therefore offers the potential both to reduce costs greatly and to increase voter participation in external voting programmes significantly, ultimately strengthening democratic legitimacy.

In some cases security concerns combined with a lack of information and understanding of the technologies used can damage a public's confidence in an e-voting system and thus in the broader electoral process. Where necessary infrastructure does not exist, the building of the systems needed can also be expensive. Before an e-voting system can be introduced to enfranchise electors abroad, security challenges and possible solutions must be thoroughly reviewed. This chapter considers the most important of these security challenges and offers possible mechanisms to address them.

In addition to e-voting, there are also other, less far-reaching ways in which electronic means can be used to facilitate the enfranchisement of citizens abroad. These include providing information to facilitate different steps of the voting process without going so far as to allow voters to actually cast their ballot electronically. Australia, New Zealand and Singapore are among the countries that use electronic technologies to enhance external voting programmes by allowing voters to fax documents to obtain a postal ballot (Australia), allowing overseas voters to download their ballot papers and return them by fax or by post (New Zealand), or allowing potential electors to download a voter registration form to be returned by registered post (Singapore).

Case Studies

The IDEA External Voting Handbook is a global comparative study offering 21 case studies from the Americas, Africa and the Middle East, Europe, and Asia, illustrating various external voting mechanisms and levels of enforcement. Each explores, where appropriate, decision-making processes, enabling legislation, eligibility requirements for participation, procedures for registration and voting, and financing. Each case study offers an analysis of a country's history of external voting procedures, considers the practical implementation of out-of-country voting programmes, and reviews any successes and challenges. Additional examples are also illustrated in the Handbook's eleven chapters.

Afghanistan

Afghanistan's long history of humanitarian and political crisis has forced a large segment of the population to migrate to neighbouring countries. Afghans displaced to Pakistan and Iran were given the opportunity to vote in elections to the Emergency Loya Jirga and the Constitutional Loya Jirga in 2002 and 2003, and in presidential elections in 2004, but not in the parliamentary elections of 2005.

Bosnia and Herzegovina

In post-conflict elections in Bosnia and Herzegovina (BiH), eligible electors were given the opportunity to vote in their pre-war, present, or future districts of residency as a means of avoiding 'recognizing' or institutionalizing the 'ethnic cleansing' that had occurred through the electoral process. Registration and voting were further complicated by the fact that many identification documents and other records were lost or destroyed during the war. A study of BiH's post-conflict elections highlights developing trends for external voting in that country.

Botswana

External voting in Botswana was introduced as a part of a package of constitutional and electoral reforms in 1997 in response to developing trends in the region as well as growing internal pressure from opposition parties and civil society. Participation by eligible voters abroad (primarily migrant workers and students) has been low. The Independent Electoral Commission has requested a review to examine the logistical preparations, voter participation, and the cost of its external voting programme to inform decision making on the future of external voting.

Brazil

Brazilians abroad have voted since the country's return to democracy in 1989. Voting is obligatory in the Brazilian electoral system, and this obligation is extended to overseas electors. If a person abroad does not vote and cannot justify their abstention, this citizen will be faced with fines or sanctions. However, the numbers of citizens registering for an external vote have been disappointing and only an estimated 5 per cent of electors abroad actually vote.

Cape Verde

As a small island nation with a strong tradition of emigration, Cape Verde has called on its citizens abroad to vote since the nation's first democratic elections in 1991, but participation levels have been low. Overseas voters are divided into three constituencies (the Americas, Africa and Europe) and their votes are cast in person. In addition to voting, Cape Verdeans abroad are also eligible to stand for National Assembly elections (but not the presidency), regardless of residency or dual nationality considerations.

Chad

The implementation of external voting was highly controversial in Chad's 2001 presidential elections, ultimately resulting in the annulment of votes cast abroad. The external voting programme was challenged by accusations that the diplomatic and consular agents managing the process were not neutral and were not adequately trained, and that it was difficult for opposition parties and independent observers to monitor the external voting.

Colombia

Colombia's first piece of electoral legislation (1961) extended the vote for presidential elections to citizens with permanent residency abroad. In 1991 this was extended to Colombians who are temporarily out of the country and was expanded to include elections to the Senate. Although Colombians abroad were given their own district seat, a controversial court ruling resulted in nearly two-thirds of the votes cast for this external seat in 2002 being cast by in-country voters. Colombian officials continue to introduce legislation to make the process of voting from abroad more dynamic and efficient.

Cook Islands

In the Cook Islands, more citizens live outside than inside the country. The undesirable effects of political parties competing to fly voters electors back home for polling led to the introduction of a separate electoral district for Cook Islanders resident overseas. However, the external voting procedures have not proved to be sustainable. Although elections have remained competitive, political support for the overseas seat declined and it was abolished for the 2004 elections.

Dominican Republic

External voting was first introduced by legislation in the Dominican Republic in 1997 in partial response to demands from organized and influential groups of Dominicans abroad. For the country's first implementation of external voting in the 2004 presidential elections, logistical coordination offices (LCOs) were established in consultation with political parties to select polling sites, distribute election materials, recruit staff, and administer voting. external voting? was, however, marked by logistical and organizational challenges.

Estonia

Since independence was regained in 1991, Estonians abroad have been allowed to vote in parliamentary elections and referendums, but not local elections. Polling is organized by Estonia's diplomatic missions, and citizens are able to cast their ballots in person or by post. The legislative basis for electronic voting was put in place in 2002 and a new remote e-voting system was tested during local referendums and elections held in late 2004 and 2005.

Honduras

After controversial and extensive debate, Honduras's Congress approved a special law in 2001 to allow citizens abroad to vote. The Honduras case study shows that political parties can be key players in introducing external voting. The implementation of external voting for Hondurans is characterized by high costs, low rates of registration and participation, and a presumed political polarization of Honduran communities abroad as a result of the electoral competition. These challenges have given rise to demands for review of the programme.

Indonesia

Voting outside Indonesia for national parliamentary bodies was established for the country's first post-independence direct popular election in 1955 out of a concern to preserve the voting rights of a large external population of immigrant workers and students, mostly resident abroad for a relatively short period. Since that time call it external voting has been a feature of Indonesia's electoral system. Changes to the electoral system, redistricting and other developments have posed challenges to the administration of external voting.

Iraq

Iraq's 2005 elections employed extensive arrangements for external voting organized under extreme time constraints. The electoral system for the National Assembly elections, under which Iraq is a single electoral district (with proportional representation), made it possible to use a single ballot paper for voters abroad. By voting in person via procedures similar to those for in-country voting, 94 per cent of registered external voters (or 22 per cent of the estimated 1.2 million eligible voters) participated in the elections.

Marshall Islands

In the Republic of the Marshall Islands, the majority of the population vote from somewhere other than their place of residence, not only those resident or working temporarily overseas, but also inter-island migrants and displaced people from the atolls that are affected by US nuclear tests. Absentee ballots can therefore determine the outcome of elections. Voting from abroad is done exclusively by post, and party agents travel widely overseas to attract voter support.

Mexico

In June 2005, following nearly ten years of controversy and debate, the Mexican Congress approved a reform to the electoral law allowing Mexicans to vote abroad. This will be possible for the first time during the presidential elections of July 2006. External voting will apply only to presidential elections and will be by post only. In order to exercise their franchise, citizens must have their photographic voting card issued only within Mexico's borders. Only 40,627 electors registered abroad to participate in the 2006 elections.

Mozambique

In order to preserve the voting rights of migrants, two seats of the Mozambican Parliament are allocated to the external electoral districts of 'Africa' and the 'rest of the world'. External voting was first implemented for the 2004 general elections following a heated debate over whether the National Electoral Commission would conduct registration of eligible voters abroad. The programme was characterized by low turnout from citizens abroad.

The Philippines

The Philippines is the only country where there are special requirements for the eligibility and entitlement to vote of certain categories of citizens abroad. Filipinos abroad who are recognized as immigrants or permanent residents of another country must sign an affidavit of intention to resume actual residence in the Philippines no later than three years from the approval of their application for registration as an 'overseas' voter and declare that they are not applying for citizenship in their host country.

Portugal

Although external voting rights have been granted since Portugal's first free elections in 1974, these rights were substantially expanded in the following decades. Significant changes to external voting were introduced in 1997. Two parliamentary seats are reserved for citizens living abroad, one for those residing in European countries, and one for the rest. Eligibility criteria and procedures for casting an external vote vary according to type of election. Registration is not mandatory for those abroad.

Senegal

In the period leading up to the 1993 presidential elections, the Senegalese Government convened a conference to reform and democratize the electoral processes and introduced a system for external voting in presidential and legislative elections that was supported by all the political parties. Polling for external voters is only conducted in locations where a minimum of 500 voters have registered.

Switzerland

Swiss voters who are resident or staying abroad have been allowed to exercise their political rights since 1977. At first they had to travel back to Switzerland in order to vote. Today, Swiss citizens abroad are also able to vote by post and to take part at the national level in referendums and elections and in some canton-level elections. They can also initiate citizen initiatives and referendums by collecting the requisite number of signatures. Switzerland is also considering making e-voting available.

Zimbabwe

In Zimbabwe, external voting by post was incorporated in the electoral laws that were introduced following the country's independence in 1980. Eligibility to vote from abroad was restricted to government servants, including diplomats, civil servants, and members of the armed forces and police. Today an estimated 3.5 million Zimbabweans live abroad, many displaced by economic or political hardship, and demands are increasing for voting rights to be extended to this diaspora.

Annexes

The Handbook includes a table containing information about the external voting practices in all (approximately 100) countries that allow external voting. See below for more information.

The Handbook also includes a glossary of terms, a bibliography for sources and further reading, web site information and biographical information about all the contributors.

Annex A

Annex A contains a list of all countries and territories that allow external voting. It provides information on a country-by-country basis in table format. The information provided for each country and territory is the following:

- ⇒ Country and territory name
- ⇒ Type of government
- ⇒ Electoral system for national legislature and number of elected representatives
- ⇒ Electoral system for president
- ⇒ Who is entitled external voting?
- ⇒ For which type of election is external voting allowed; parliamentary, presidential, sub-national or referendum?
- ⇒ What is the voting method for external voters?
- ⇒ The first year external voting was/will be introduced

Territories are included where they have no direct representation in a legislature of the country with which they are associated. The following 213 countries and territories have formed the basis for this research:

External Voting

AFGHANISTAN	CUBA	KOREA, DEMOCRATIC
ALBANIA	CYPRUS	PEOPLE'S REPUBLIC OF
ALGERIA	CYPRUS (NORTH)	KOREA, REPUBLIC OF
ANDORRA	CZECH REPUBLIC	KUWAIT
ANGOLA	DENMARK	KYRGYZSTAN
ANGUILLA	DJIBOUTI	LAO PEOPLE'S DEMOCRATIC
ANTIGUA AND BARBUDA	DOMINICA	REPUBLIC
ARGENTINA	DOMINICAN REPUBLIC	LATVIA
ARMENIA	ECUADOR	LEBANON
ARUBA	EGYPT	LESOTHO
AUSTRALIA	EL SALVADOR	LIBERIA
AUSTRIA	EQUATORIAL GUINEA	LIBYAN ARAB JAMAHIRIYA
AZERBAIJAN	ERITREA	LIECHTENSTEIN
BAHAMAS	ESTONIA	LITHUANIA
BAHRAIN	ETHIOPIA	LUXEMBOURG
BANGLADESH	FALKLAND ISLANDS (Islas	MACEDONIA, THE FORMER
BARBADOS	Malvinas)	YUGOSLAV REPUBLIC OF
BELARUS	FIJI	MADAGASCAR
BELGIUM	FINLAND	MALAWI
BELIZE	FRANCE	MALAYSIA
BENIN	GABON	MALDIVES
BERMUDA	GAMBIA	MALI
BHUTAN	GEORGIA	MALTA
BOLIVIA	GERMANY	MAN, ISLE OF
BOSNIA AND HERZEGOVINA	GHANA	MARSHALL ISLANDS
BOTSWANA	GIBRALTAR	MAURITANIA
BRAZIL	GREECE	MAURITIUS
BRITISH VIRGIN ISLANDS	GRENADA	MEXICO
BRUNEI DARUSSALAM	GUATEMALA	MICRONESIA, FEDERATED
BULGARIA	GUERNSEY	STATES OF
BURKINA FASO	GUINEA (CONAKRY)	MOLDOVA, REPUBLIC OF
BURMA (Myanmar)	GUINEA-BISSAU	MONACO
BURUNDI	GUYANA	MONGOLIA
CAMBODIA	HAITI	MONTSERRAT
CAMEROON	HOLY SEE (VATICAN CITY)	MOROCCO
CANADA	HONDURAS	MOZAMBIQUE
CAPE VERDE	HUNGARY	NAMIBIA
CAYMAN ISLANDS	ICELAND	NAURU
CENTRAL AFRICAN	INDIA	NEPAL
REPUBLIC	INDONESIA	NETHERLANDS
CHAD	IRAN, ISLAMIC REPUBLIC	NETHERLANDS ANTILLES
CHILE	OF	NEW ZEALAND
CHINA	IRAQ	NICARAGUA
COLOMBIA	IRELAND, REPUBLIC OF	NIGER
COMOROS	ISRAEL	NIGERIA
CONGO, REPUBLIC OF	ITALY	NIUE
(BRAZZAVILLE)	JAMAICA	NORWAY
CONGO, DEMOCRATIC	JAPAN	OMAN
REPUBLIC OF (KINSHASA)	JERSEY	PAKISTAN
COOK ISLANDS	JORDAN	PALAU
COSTA RICA	KAZAKHSTAN	PALESTINE
CÔTE D'IVOIRE	KENYA	PANAMA
CROATIA	KIRIBATI	PAPUA NEW GUINEA



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PARAGUAY
PERU
PHILIPPINES
PITCAIRN ISLANDS
POLAND
PORTUGAL
QATAR
ROMANIA
RUSSIAN FEDERATION
RWANDA
SAINT HELENA
SAINT KITTS AND NEVIS
SAINT LUCIA
SAINT VINCENT AND THE
GRENADINES
SAMOA
SAN MARINO
SAO TOMÉ AND PRINCIPE
SAUDI ARABIA

SENEGAL
SERBIA AND MONTENEGRO
SEYCHELLES
SIERRA LEONE
SINGAPORE
SLOVAKIA
SLOVENIA
SOLOMON ISLANDS
SOMALIA
SOUTH AFRICA
SPAIN
SRI LANKA
SUDAN
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SWAZILAND
SWEDEN
SWITZERLAND
SYRIAN ARAB REPUBLIC
TAIWAN
TAJKISTAN
TANZANIA, UNITED
REPUBLIC OF
THAILAND
TIMOR-LESTE

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TOKELAU
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TURKEY
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TURKS AND CAICOS
ISLANDS
TUVALU
UGANDA
UKRAINE
UNITED ARAB EMIRATES
UNITED KINGDOM OF
GREAT BRITAIN AND
NORTHERN IRELAND
UNITED STATES OF
AMERICA
URUGUAY
UZBEKISTAN
VANUATU
VENEZUELA
VIET NAM
YEMEN
ZAMBIA
ZIMBABWE



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Created in 1995, the International Institute for Democracy and Electoral Assistance – IDEA – is an intergovernmental organization that supports sustainable democracy. Working globally, but with a current focus on Africa and the Middle East, Latin America and South Asia, IDEA seeks to improve the design and effectiveness of democratic institutions, and to strengthen democratic processes through:

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