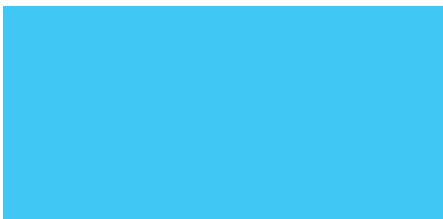
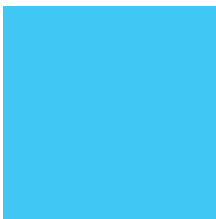
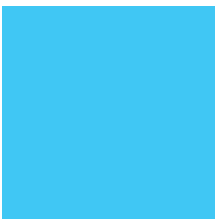
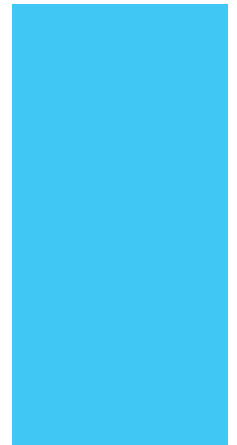
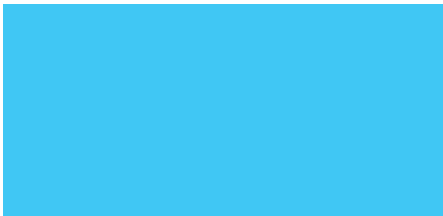
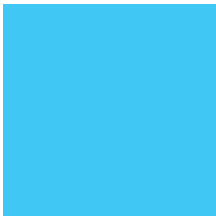
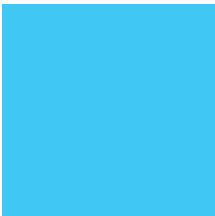
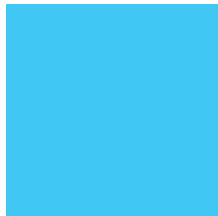
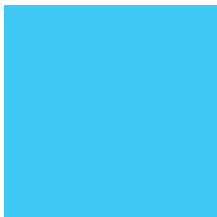
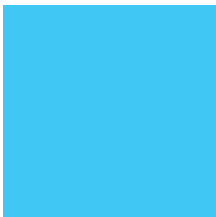




European  
University  
Institute

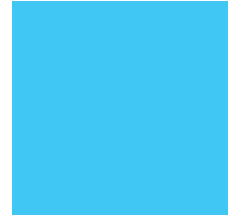
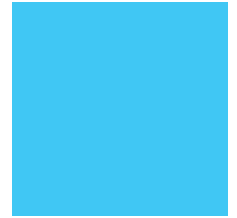
ROBERT  
SCHUMAN  
CENTRE FOR  
ADVANCED  
STUDIES



EXPLANATORY  
NOTE

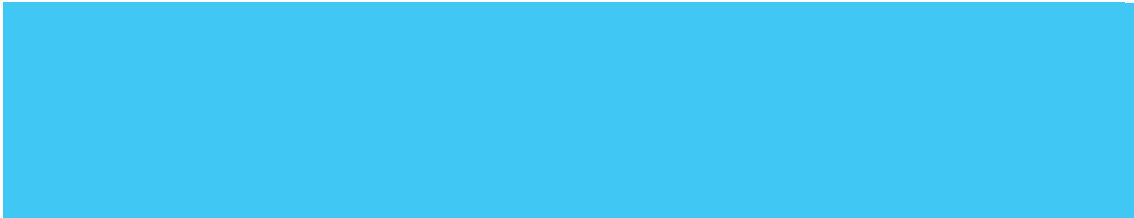
NOVEMBER  
2019

# EXPLANATORY NOTE: CONDITIONS FOR ELECTORAL RIGHTS 2019



AUTHORED BY

LORENZO PICCOLI, SAMUEL D. SCHMID,  
JEAN-THOMAS ARRIGHI, RAINER BAUBÖCK AND  
JELENA DZANKIC



© Lorenzo Piccoli, Samuel D. Schmid, Jean-Thomas Arrighi, Rainer Bauböck and Jelena Dzankic 2019

This text may be downloaded only for personal research purposes. Additional reproduction for other purposes, whether in hard copies or electronically, requires the consent of the authors. If cited or quoted, reference should be made to the full name of the author(s), editor(s), the title, the year and the publisher.

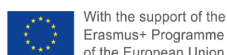
Requests should be addressed to [GlobalCit@eui.eu](mailto:GlobalCit@eui.eu).

Views expressed in this publication reflect the opinion of individual authors and not those of the European University Institute.

Global Citizenship Observatory (GLOBALCIT)  
Robert Schuman Centre for Advanced Studies  
in collaboration with  
Edinburgh University Law School

### **Explanatory Note: Conditions for Electoral Rights 2019**

November 2019



© Lorenzo Piccoli, Samuel D. Schmid, Jean-Thomas Arrighi, Rainer Bauböck and Jelena Dzankic 2019

Printed in Italy  
European University Institute  
Badia Fiesolana  
I – 50014 San Domenico di Fiesole (FI)  
Italy  
[www.eui.eu/RSCAS/Publications/](http://www.eui.eu/RSCAS/Publications/)  
[www.eui.eu](http://www.eui.eu)  
[cadmus.eui.eu](http://cadmus.eui.eu)

## **Robert Schuman Centre for Advanced Studies**

The Robert Schuman Centre for Advanced Studies, created in 1992 and currently directed by Professor Brigid Laffan, aims to develop inter-disciplinary and comparative research on the major issues facing the process of European integration, European societies and Europe's place in 21<sup>st</sup> century global politics.

The Centre is home to a large post-doctoral programme and hosts major research programmes, projects and data sets, in addition to a range of working groups and *ad hoc* initiatives. The research agenda is organised around a set of core themes and is continuously evolving, reflecting the changing agenda of European integration, the expanding membership of the European Union, developments in Europe's neighbourhood and the wider world.

For more information: <http://eui.eu/rscas>

The EUI and the RSCAS are not responsible for the opinions expressed by the author(s).

## **GLOBALCIT**

GLOBALCIT is the successor of EUDO CITIZENSHIP, which has been the key reference for the study of citizenship and the franchise between 2009 and 2017. With the geographic expansion of the Observatory's scope the new name reflects our worldwide coverage.

GLOBALCIT provides the most comprehensive source of information on the acquisition and loss of citizenship in Europe for policy makers, NGOs and academic researchers. Its website hosts a number of databases on domestic and international legal norms, naturalisation statistics, citizenship and electoral rights indicators, a comprehensive bibliography and glossary, a forum with scholarly debates on current citizenship trends, media news on matters of citizenship policy and various other resources for research and policy-making.

Research for the 2019 GLOBALCIT Reports has been supported by the European University Institute's [Global Governance Programme](#), and the British Academy Research Project CITMODES (co-directed by the EUI and the University of Edinburgh).

The financial support from these projects is gratefully acknowledged.

For more information see: [www.globalcit.eu](http://www.globalcit.eu)

## Explanatory note

### Conditions for Electoral Rights 2019

*Lorenzo Piccoli, Samuel D. Schmid, Jean-Thomas Arrighi,*

*Rainer Bauböck and Jelena Dzankic<sup>1</sup>*

#### 1. Introduction: Conditions for Electoral Rights datasets

Electoral rights provide the opportunity to participate in political processes by establishing the criteria that determine membership in the *demos*, that is, in the set of people who can vote and stand as candidates. These rights reflect multiple public policy purposes and as such they vary greatly not only across different states, but also across different groups and even across different territorial levels of election within the same state. The result of this complex interaction is of crucial importance for processes of democratic inclusion and, more generally, for contemporary citizenship regimes.

Building on a large body of legislation governing elections collected through the individual country reports, the GLOBALCIT Conditions for Electoral Rights datasets (CER) provide a tool to compare the electoral inclusiveness of existing rules regulating electoral rights. The databases are organised around a comprehensive typology of electoral laws that outlines in a systematic way the conditions and procedures for eligibility for voting and standing as candidate in each type of elections and for different legal categories of persons. By making this information available in a condensed format, the datasets allow for systematic comparisons. CER provides also the basic information for our quantitative ELECLAW indicators, which measure the inclusiveness of electoral rights on a 0 to 1 scale.

The wealth of data provided by CER allows fine-grained analysis of legal provisions, administrative procedures and integration effects of electoral rights across 51 countries for 10 levels of election. CER is a first of its kind and is designed to be useful for both academics and practitioners. Its main objective is that of facilitating the comparative analysis of the practice of voting, standing as candidate, and the regulation of mechanisms that enable different groups of individuals to participate in political processes within and across states.

This explanatory note describes first the geographic coverage, thematic scope and general structure of our datasets (section 2) and explains then in detail (section 3) the coding principles and rules that we have newly developed in 2017 in order to provide users with a

<sup>1</sup> Contact: [lorenzo.piccoli@eui.eu](mailto:lorenzo.piccoli@eui.eu) | [rainer.baubock@eui.eu](mailto:rainer.baubock@eui.eu) | [jean-thomas.arrighi@unine.ch](mailto:jean-thomas.arrighi@unine.ch) | [samuel.schmid@eui.eu](mailto:samuel.schmid@eui.eu) | [jelena.dzankic@eui.eu](mailto:jelena.dzankic@eui.eu) | <http://www.globalcit.eu>

better visualisation of the inclusiveness of electoral rights across countries and types of elections.

## 2. Coverage

The current version of CER reflects the legal provisions in force on 1 January 2019. Earlier versions of the database take stock of the legal situation in 2013 (Arrighi & Hutcheson, 2013, with 28 EU Member States), 2015, and 2017. The previous datasets have been amended by updating the information, adding new categories of electoral inclusion, and expanding the coverage. Since 2017, CER includes 28 Member States of the European Union, Switzerland, 20 countries from the Americas, as well as Australia and New Zealand. The main source of the information presented in the datasets are the country reports available on the GLOBALCIT website. The selection of types of elections and categories of potential voters follows the rationale behind the ELECLAW indicators covering the EU-28 in 2013 (Schmid, Arrighi, & Bauböck, 2015; Schmid, Piccoli, & Arrighi, 2019). For each of the 51 countries covered, CER provides information on the electoral inclusiveness for all the levels and kinds of election, which results in a maximum number of ten possible types of election for each country. Furthermore, CER treats citizens who reside in the state, citizens who reside outside the state, and non-citizens who reside inside the territory of the state as separate categories. As a result, CER includes more than 10.000 individual items. The following paragraphs explain how these items reflect complex sets of electoral rules that constitute the *demos*.

### 2.1. Time frame

CER provides an overview of the legislation in force on 1 January 2019, including information on which sources of law define the scope and extent of electoral rights.<sup>2</sup> The aim is to capture laws and regulations that determine electoral inclusion. Information on the origins and evolution of legislation can be found in the country reports available on the GLOBALCIT website. Earlier versions of the database are available through the EUI Research Data Repository. The list of corrections and updates to the database can be downloaded from our website. CER is designed for quick comparison of electoral rights in all 51 countries for the year 2019 with regard to a specific type of election and a certain category of voters.

### 2.2. Countries

CER includes 51 countries from three continents. This is the result of a progressive geographical expansion of coverage since the Conditions for Electoral Rights were first designed. In 2012 EUDO CITIZENSHIP (the predecessor of GLOBALCIT) was selected by the Committee on Constitutional Affairs of the European Parliament (AFCO) to conduct a study on the franchise and electoral participation of third country citizens residing in the European Union, and of European citizens in third countries. The ERACIT project was jointly

<sup>2</sup> Whereas acquisition and loss of citizenship are generally regulated by a single citizenship or nationality law and in some cases also by constitutional provisions, the regulation of electoral rights is nearly always dispersed across several pieces of legislation. Our legal databases cover the most important of these, including legislation at sub-national levels.

carried out by the European University Institute, the University of Edinburgh, University College Dublin, the University of Sussex and a network of country experts. The 2013 qualitative databases on electoral rights in the 28 EU Member States (Arrighi & Hutcherson, 2013) built on that project to broaden the thematic coverage and provide a systematic comparison for the 28-EU Member states.

In 2015 EUDO CITIZENSHIP expanded its geographic scope to include also North and South American states, as well as Oceania. CER takes into account this expansion and provides comparative updated information on the 28-EU Member States and freshly covers 20 countries in the Americas, two countries in Oceania, and Switzerland. Country reports for all these cases are available on the GLOBALCIT website. Further countries will be added gradually as we receive the individual country reports.

### 2.3. Types of election

CER covers ten types of elections, which result from combining *kinds* and *levels* of elections. ‘Kinds of election’ refers to the nature of the decision for which electors are casting the ballot: whether to elect a president or mayor, a legislative assembly or council, or to decide in a referendum. ‘Levels of election’ refers to the territorial constituency: whether it is supranational, national, regional, or local. If there are several regional levels that have not merely administrative competence and where direct elections are held, we analyse electoral rights for that level where regional units enjoy the greatest political authority (according to Hooghe et al. 2010).

Setting out from this combination of kinds and levels of elections, we distinguish presidential elections in which citizens directly elect a candidate for a presidential political office (national or federal president, regional governor or local mayor); legislative elections in which citizens elect the members of an assembly (supranational and national parliaments, regional and local assemblies), and referendums (national, regional or local). Since there are no supranational presidential elections or referendums, this results in up to ten possible elections per country. In total, in our current sample we find 42 supranational elections; 32 national presidential elections; 51 national legislative elections; 47 national referendums; 15 regional presidential elections; 32 regional legislative elections; 26 regional referendums; 35 local mayoral elections; 48 local legislative elections; and 39 local referendums. The table below shows the numbers of different kinds of elections broken down by territorial levels; complementary to this, the appendixes at the end of the document give a detailed account of types of direct elections in each of the countries surveyed.

Table 1. Territorial kinds and levels of elections for the 51 countries that are covered by CER

	<b>Presidential</b>	<b>Legislative</b>	<b>Referendum</b>
<b>Supranational<sup>3</sup></b>	⊗	42	⊗
<b>National</b>	32	51	47
<b>Regional</b>	15	32	26
<b>Local</b>	35	48	39

CER does not cover all existing elections. There are two types of elections, in particular, that are not part of the datasets. First, CER does not cover indirect elections – these are marked as I.E. (‘indirect election’). This is because we consider electoral rights as an aspect of citizenship rather than as a procedure for selecting office holders. More generally, we focus only on the individual right to vote or to stand for election and therefore do not include procedures that translate individual votes into parliamentary seats or outcomes of presidential and plebiscitary elections. The datasets therefore do not provide information on elections in which a candidate is chosen by an assembly that has itself emerged from direct elections (e.g. Italian presidential elections, where the president is chosen by Senators, Deputies and regional representatives) or is appointed without electoral competition (e.g. mayoral elections in the Netherlands where the mayor is appointed by the central government on the recommendation of the municipality). For the same reason, the datasets do not cover laws regulating rights to popular petitions or popular initiatives that are not submitted to a general vote; and they do not cover institutions that are composed of members formally elected for another assembly (e.g. the Latin American Parliament, which is composed of nominated plenipotentiaries sent by the national parliament for which they have been elected).

Second, CER does not cover regional elections where only special autonomy regions have self-determination with regard to the franchise, whereas there are no elections in regions in the rest of the country. In this case, the relevant sub-national levels for this country are coded as N.E. (‘no elections’) so as not to provide an information that is based solely on exceptional sub-units (e.g. Portugal, where only the special autonomy regions of the Azores and Madeira hold elections; and Finland, where only the special autonomy region of Åland holds regional elections). In other cases, when elections are held across all the regions of the country, but different provisions are applied in different sub-units, we specify this information.

## 2.4. Categories of voters

CER covers three categories of voters that result from the fact that an increasing number of citizens reside outside their country where they hold citizenship when elections take place. Our datasets distinguish three basic categories of voters: citizen residents, non-resident citizens and non-citizen residents.

‘Citizen residents’ are defined as individuals who hold the citizenship of the state and

<sup>3</sup> The CER 2017 datasets include the following directly elected supranational parliaments: European Parliament; Mercosur Parliament; Andean Parliament; Central-American Parliament.

reside within its territory, regardless of whether they also hold a foreign citizenship and regardless of whether they also have a second residence abroad. This category includes both individuals who have citizenship by birth (either on the basis of the nationality of the parents at the time of the target person's birth or on the basis of his or her country of birth) and those who have acquired citizenship at a later stage of their life through naturalisation. It also includes citizens whose principal residence is in the country where an election is held but who are temporarily abroad on election day.

'Non-resident citizens' designates the category of persons who do not reside permanently in the territory of the state the citizenship of which they hold and in which the election is taking place. When describing the general franchise of non-resident citizens, we mention where specific occupations – e.g., members of the armed forces serving abroad, civil servants at diplomatic missions and their families – if their electoral rights differ from those of other non-resident citizens.

'Non-citizen residents' are persons who are long-term residents in a territory where the election is taking place and who do not possess the citizenship of that state. Voting rights for specific categories of non-citizens, such as EU citizens or Commonwealth citizens residing in other member states, are therefore covered in the 'Non-citizen residents' dataset. While the broad category of non-citizen residents includes very different groups, such as foreign students or migrants with irregular status, the 'non-citizen residents' dataset takes as a standard reference group resident aliens that are legally present in the territory and are registered as residents in a municipality of the state.

We provide three separate datasets for resident citizens, non-resident citizens and non-citizen residents because conditions for electoral rights differ between these categories. Citizen residents provide the basic reference category for CER. This means that provisions that apply to all three categories of voters in the same way are only covered in the dataset for citizen residents. For citizen residents, CER provides comprehensive information on the conditions and procedures for the right to vote and to stand as candidate. This includes age thresholds for voting and candidacy rights, disenfranchisement on different grounds (mental disability, criminal conviction, exclusion of security forces, judges or clergy and restrictions for naturalised and dual citizens), as well as information regarding the electoral registration mode (automatic or active registration procedure), on mandatory or voluntary voting and on remote voting methods for each type of elections. Some conditions, such as special representation based on extraterritorial constituencies for external voters, apply only to one category (i.e. non-resident citizens).

## 2.5. Voting and candidacy rights

CER covers both the right to vote and to stand as candidate. In some countries this distinction is between 'active' and 'passive' voting rights. In the 'non-resident citizens' and 'non-citizen residents' datasets, separate columns capture the difference between voting and candidacy rights. In the 'citizen-residents' dataset we provide separate columns on age thresholds for voting and candidacy rights, which often differ, and include otherwise information on relevant differences in the descriptions within a single column.

The distinction between the voting and candidacy rights applies only to presidential and legislative elections, since for referendums there are naturally no candidacy rights. In these cases, the information is coded as N.A. ('not applicable').



### 3. Coding

CER provides two kinds of information:

- a colour code that corresponds to four points on a scale (YES, YES BUT, NO BUT, NO);
- a summary description of relevant provisions that appears in a pop-up when the mouse is held above the respective cell in the table or country on the map.

The scale from YES to NO is oriented to measure inclusiveness, not restrictiveness. A YES answer indicates the absence of a restrictive or exclusionary condition for electoral rights.

The coding is generally determined by candidacy rights rather than by active voting rights. This may seem counter-intuitive. The reason is that there is that for certain conditions there is hardly any difference between voting and candidacy rights, whereas for others, nearly all the relevant variation is with regard to candidacy rights.

- For mental disability and criminal conviction, exclusion from voting rights and candidacy rights generally goes hand in hand.
- Exclusion of certain professions and of naturalised or dual citizens concerns mostly candidacy, but not voting rights.

As explained in section 2, the conditions for electoral rights that we cover vary by category of voters. The default category of voters are resident citizens. For them we cover the most common conditions for electoral rights:

- age thresholds for voting
- age thresholds for candidacy
- electoral rights of mentally disabled persons
- electoral rights of prisoners and persons with criminal convictions
- electoral rights of certain professions (army, police, judges, clergy)
- electoral rights of dual citizens and naturalised
- automatic registration (vs. active registration requirements)
- mandatory voting
- remote voting options (voting in another polling station outside the electoral district where a voter is registered, postal voting, electronic voting, proxy voting and remote voting options for resident citizens who are abroad on election day)

For non-resident citizens we cover separately:

- voting rights
- candidacy rights
- automatic registration vs. active registration requirements
- remote voting options (in-country voting only, voting at embassies or consulates, postal voting, electronic voting, proxy voting)
- mode of representation (assimilated representation, i.e. votes are counted together with those of resident citizens in an electoral district in the country where the election is held vs. special representation, i.e. voting in extraterritorial constituencies with specially assigned seats in the legislative assembly)

For non-citizen residents we cover separately:

- voting rights

- candidacy rights
- automatic registration vs. active registration requirements

Below we provide short descriptions of our general coding principles and their specific interpretation for the conditions for electoral rights for resident citizens, non-citizen residents, and non-resident citizens.

### 3.1. General coding principles

The interface provides a colour scheme, enabling users to easily compare the inclusiveness of electoral legislation for different categories of persons at different levels of election. The scheme runs from fully inclusive (YES, green) to exclusive (NO, green). Variation (V) is represented by grey, while indirect election (I.E.), no election (N.E.), and inapplicable coding (N.A) are white.

**Question:** *Do citizens or non-citizens have the right to vote/stand as candidates?*

<b>YES</b>	Green	If there is no disenfranchisement of persons within the respective category (resident citizens, non-resident citizens, non-citizen residents) on the relevant grounds (mental disability, criminal conviction, profession, naturalisation or dual citizenship); or if the relevant voting method is available to all voters in this category
<b>YES BUT</b>	Lime	If persons within the respective category are generally enfranchised but have to meet certain additional conditions; or if they are not enfranchised in certain parts of the territory; or if the relevant voting method is generally available to voters in this category but these have to meet additional conditions
<b>NO BUT</b>	Orange	If persons within the respective category are generally disenfranchised, but specific categories enjoy a special franchise or are exempted from the condition of disenfranchisement; or are enfranchised in certain parts of the territory, also if disenfranchisement needs to be decided individually by a court or judge; or if the relevant voting method is available only to special groups of voters within the respective category
<b>NO</b>	Red	If persons within the respective category are generally disenfranchised with no or only insignificant exceptions; or if the relevant voting method is not available for the respective category
<b>I.E.</b>	Grey	Indirect election, e.g. if presidents or mayors are appointed or elected by a legislative assembly. We cover only electoral rights for the general population and thus do not describe voting and candidacy rights in indirect elections

<b>N.E.</b>	White	No election in which citizens are enfranchised, e.g. if presidents or mayors are appointed or elected by a legislative assembly
<b>V</b>	White	Electoral rights vary widely within the polity, e.g. within a federal state if electoral rights differ across the federated entities (state, provinces, regions) or are determined newly for each election (in referendums)
<b>N.A.</b>	White	Not applicable

### 3.2. Coding principles for Resident Citizens

**Voting rights and candidacy rights:** CER covers five grounds of disenfranchisement: age, mental disability, criminal conviction, exclusion of certain professions (army and police forces, judges, clergy) and of certain categories of citizens (dual and naturalised citizens). For age thresholds we provide separate coding for voting and candidacy rights; for the other four grounds of disenfranchisement we code candidacy rights. Disenfranchisement on grounds of mental disability and criminal conviction excludes in nearly all cases the same categories from both voting and candidacy rights. Among the exceptions are Finland, where people placed under guardianship by a court order can vote but not stand as candidates; Latvia, Lithuania, Poland and Slovakia where all or some prisoners can vote but cannot stand as candidates. The situation is quite different for disenfranchisement of certain professions or of dual and naturalised citizens. These categories are only rarely banned from voting but more frequently excluded from candidacy rights. In order to capture significant variations in the inclusiveness of the franchise, we have therefore coded candidacy rights rather than voting rights for all four grounds of disenfranchisement. Where there is a discrepancy between voting and candidacy rights, the information is provided in the descriptive text.

#### 3.2.1. Age thresholds

**Question:** *What is the minimum age for electoral rights?*

Age thresholds for voting and for candidacy are provided separately.

### 3.2.2. Disenfranchisement on grounds of mental disability

**Question:** *Do mentally disabled individuals have the right to vote/stand as candidates?*

<b>YES</b>	If mentally disabled individuals retain their political rights
<b>YES BUT</b>	If mentally disabled individuals generally retain their political rights, but certain groups (e.g. individuals placed under guardianship by court order) are disenfranchised
<b>NO BUT</b>	If mentally disabled individuals are generally disenfranchised based on a decision by a court or judge or as a consequence of a decision by a court or judge to deprive them of legal capacity or to put them under guardianship
<b>NO</b>	If mentally disabled individuals can be disenfranchised by public administrations without a court or judge deciding the case, e.g. based on a medical diagnosis

### 3. 2. 3. Disenfranchisement on grounds of criminal conviction

**Question:** *Do convicted criminals or prisoners have the right to vote/stand as candidates?*

<b>YES</b>	If prisoners and convicted criminals retain their political rights
<b>YES BUT</b>	If prisoners or convicted criminals lose their political rights only for specific types of crimes or for prison sentences of a specific length
<b>NO BUT</b>	If political rights are suspended for a limited time period for all convicted criminals or during time in prison
<b>NO</b>	If convicted criminals lose their political rights forever

### 3. 2. 4. Disenfranchisement for special professions

**Question:** *Do army and police forces, judges or clergy have the right to vote/stand as candidates?*

<b>YES</b>	If army and police forces, judges or clergy retain their political rights
<b>YES BUT</b>	If army and police forces, judges or clergy are obliged to renounce their job upon election or they are prohibited from joining a political party
<b>NO BUT</b>	If most but not all army and police forces, judges or clergy lose their political rights (partial disenfranchisement of any of these categories)
<b>NO</b>	If all army and police forces, judges or clergy lose their political rights (full disenfranchisement of any of these categories)



### 3. 2. 5. Disenfranchisement of dual and naturalised citizens

**Question:** *Do dual citizens or naturalised citizen have the right to vote/stand as candidates?*

<b>YES</b>	If dual citizens or naturalised citizens retain their political rights
<b>YES BUT</b>	If dual citizens or naturalised citizens have access to political rights after a certain period of time
<b>NO BUT</b>	If dual citizens or naturalised citizens have only limited access to political rights
<b>NO</b>	If dual citizens or naturalised citizens lose their political rights right to vote/stand as candidates

### 3. 2. 6. Automatic registration

**Question:** *Are voters automatically registered or do they have to register actively and periodically?*

<b>YES</b>	Voters are automatically registered
<b>YES BUT</b>	Mixed automatic and active registration. E.g. voters are automatically registered when identity cards are issued but have to re-register actively when they change residence
<b>NO BUT</b>	Generally voters have to register actively, some groups are registered automatically
<b>NO</b>	Active registration required, only once or periodically or before each election

### 3. 2. 7. Mandatory voting

In a minority of countries voter registration or voting itself are mandatory, with different degrees of sanctions attached to non-compliance. We do not take sides in the debate about whether enfranchised individuals should be free to participate in elections or have a moral duty to do so that can be backed by legal sanctions. In any case, mandatory registration or voting is practised by democratic states and increases voter turnout. As our coding measures the inclusiveness of the franchise rather than degrees of individual freedom, mandatory voting is necessarily more inclusive than optional voting. Our scale codes therefore countries with mandatory voting schemes as more inclusive.

**Question:** *Is voting mandatory?*

<b>YES</b>	If voting is mandatory and registration is also mandatory or automatic, independently of how strong sanctions for non-voters are and whether small groups are exempted from mandatory voting
<b>YES BUT</b>	If voting is mandatory but registration is active and voluntary OR if voting is mandatory but there is no legal sanction or implementing legislation
<b>NO BUT</b>	If voting is voluntary but registration is mandatory
<b>NO</b>	If voting is voluntary and registration is automatic or voluntary

### 3. 2. 8. Remote voting methods for resident citizens

**Question:** *Can resident citizens vote from outside their voting constituency?*

<b>YES</b>	If votes can be cast in another polling station on the national territory by any of these methods: postal, electronic or proxy voting
<b>YES BUT</b>	If votes can be cast in another polling station, but only after making a special request or registering there, and must be cast personally and if postal, electronic or proxy voting is not available
<b>NO BUT</b>	If votes have to be cast in the constituency where the voter resides, but remote voting is possible for special categories, such as handicapped people or temporary absentees who can vote abroad at embassies, by mail, electronically or by proxy
<b>NO</b>	If votes have to be cast by the voter personally in the constituency where s/he resides

We include below illustrations of how this coding scheme works for national legislative elections.

First, using our coding across the 28 EU countries we find that remote voting methods for resident citizens are available in 14 countries; they are available under some conditions in 13 cases (in 4 countries citizens must make a special request or register first; in 9 countries only special categories of citizens have remote voting methods available); and in one country they are completely unavailable.

Second, using our coding across the America we find that remote voting methods for resident citizens are available in three countries; they are available under some conditions in five cases (in one country citizens must make a special request or register first; in three countries only special categories of citizens have remote voting methods available); and in 11 countries they are completely unavailable.

Third, using our coding in Oceania we find that that remote voting methods for resident citizens are available in both countries.

National legislative election remote voting rights: EU28		Sufficient conditions for YES				YES BUT if available for all with restrictions, NO BUT if available only for special categories		
Country	Type	e-voting	Postal voting	Polling station anywhere in the national territory	Proxy voting	Polling stations at embassies abroad for temporarily absent citizens	Early voting	Subsidised return ticket
AUSTRIA	YES		X*	X		X		
BELGIUM	NO BUT					X*		
BULGARIA	YES			X		X		
CROATIA	YES BUT			X*				
CYPRUS	NOT BUT					X*		
CZECH REPUBLIC	NO							
DENMARK	YES		X					
ESTONIA	YES	X	X	X*		X		
FINLAND	YES		X	X	X*	X		
FRANCE	YES				X			
GERMANY	YES		X		X*			
GREECE	NO BUT					X		
HUNGARY	NO BUT					X		
IRELAND	NO BUT		X*					
ITALY	NO BUT				X*			
LATVIA	YES		X	X		X		
LITHUANIA	YES		X*			X		
LUXEMBOURG	YES		X					
MALTA	NO BUT						X	X
NETHERLANDS	YES			X*				
POLAND	YES BUT		X*	X*	X*	X		
PORTUGAL	NO BUT				X*		X*	
ROMANIA	YES BUT			X*		X		
SLOVAKIA	YES BUT			X*				
SLOVENIA	NO BUT		X*			X		X
SPAIN	YES		X					
SWEDEN	YES		X	X		X		X
UK	YES		X					X
TOTAL		1	14	11	6	14	2	4
		3.6%	50%	40.2%	21.4%	50%	7.2%	14.3%

\* available only for some specific categories or upon previous request

National legislative election remote voting rights: America		Sufficient conditions for YES				YES BUT if available for all with restrictions, NO BUT if available only for special categories		
Country	Type	e-voting	Postal voting	Polling station anywhere in the national territory	Proxy voting	Polling stations at embassies abroad for temporarily absent citizens	Early voting	Subsidised return ticket
ARGENTINA	NO BUT					X		
BOLIVIA	NO							
BRAZIL	NO							
CANADA	YES		X					
CHILE	NO							
COLOMBIA	YES	X*				X		
COSTA RICA	NO							
ECUADOR	NO							
EL SALVADOR	NO							
GUATEMALA	NO							
MEXICO	YES BUT			X*	X*			
NICARAGUA	NO BUT					X*		
PANAMA	NO							
PARAGUAY	NO							
PERU	NO							
SURINAME	NO BUT				X*			
URUGUAY	NO BUT					X*		
VENEZUELA	NO							
US	YES		X					
TOTAL		1	2	1	2	4	0	0
		5.3%	10.6%	5.3%	10.6%	21.2%	0%	0%

\* available only for some specific categories or upon previous request

National legislative election remote voting rights: Oceania		Sufficient conditions for YES				YES BUT if available for all with restrictions, NO BUT if available only for special categories		
Country	Type	e-voting	Postal voting	Polling station anywhere in the national territory	Proxy voting	Polling stations at embassies abroad for temporarily absent citizens	Early voting	Subsidised return ticket
AUSTRALIA	YES	X*	X	X		X		
NEW ZEALAND	YES		X	X				
TOTAL		1	2	2	0	1	0	0
		50%	100%	100%	0%	50%	0%	0%

\* available only for some specific categories or upon previous request

### 3. 3. Coding Principles for Non-citizen Residents

#### 3. 3. 1. Voting rights for non-resident citizens

**Question:** *Can non-resident citizens vote?*

<b>YES</b>	All non-resident citizens can vote if they meet a residence requirement
<b>YES BUT</b>	Non-resident citizens can vote but have to meet additional conditions apart from residence requirements
<b>NO BUT</b>	Only certain categories of non-resident citizens can vote or they can vote only in certain countries of residence, or in some of the sub-national elections
<b>NO</b>	Non-resident citizens cannot vote



### 3. 3. 2. Candidacy rights

**Question:** *Can non-resident citizens stand as candidates?*

<b>YES</b>	All non-resident citizens can stand as candidates if they meet a residence requirement
<b>YES BUT</b>	Non-resident citizens can stand as candidates but have to meet additional conditions apart from residence requirements
<b>NO BUT</b>	Only special categories of non-residents can stand as candidates
<b>NO</b>	Non-resident citizens cannot stand as candidates

### 3. 3. 3. Registration

**Question:** *Are non-resident citizens automatically registered or do they have to register actively and periodically?*

<b>YES</b>	Non-resident citizens are automatically registered
<b>YES BUT</b>	Mixed automatic and active registration. E.g. non-resident citizens are automatically registered when identity cards are issued but have to re-register actively when they change residence
<b>NO BUT</b>	Generally non-resident citizens have to register actively, some groups are registered automatically
<b>NO</b>	Active registration required (only once or periodically or before each election)

### 3. 3. 4. Remote Voting

**Question:** *Can non-resident citizens vote from abroad?*

<b>YES</b>	If votes can be cast outside the national territory by any of these methods: embassies and consulate, special polling stations, postal, electronic or proxy voting
<b>YES BUT</b>	If votes can be cast only at embassies or consulates or special polling stations in countries with larger concentrations of non-resident citizens
<b>NO BUT</b>	If only in-country voting is allowed (i.e. non-resident citizens have to cast their vote in the national territory)
<b>NO</b>	If non-resident citizens cannot vote

### 3. 3. 5. Special Representation

**Question:** *Do non-resident citizens vote in an extraterritorial constituency / for reserved seats?*

<b>YES</b>	If there are special extraterritorial constituencies or reserved seats for non-resident voters
<b>NO</b>	If the votes cast by non-resident citizens are counted together with those cast by resident citizens in the national territory

### 3. 4. Coding Principles for Non-citizen Residents

#### 3. 4. 1. Voting rights

**Question:** *Can non-citizens residents vote?*

<b>YES</b>	All non-citizens residents can vote if they meet a residence requirement
<b>YES BUT</b>	Non-citizens can vote but have to meet additional conditions apart from residence requirements
<b>NO BUT</b>	Only the nationals of certain countries can vote
<b>NO</b>	Non-citizens cannot vote

### 3. 4. 2. Candidacy rights

**Question:** *Can non-citizens stand as candidates?*

<b>YES</b>	All non-citizens residents can stand as candidates if they meet a residence requirement
<b>YES BUT</b>	Non-citizens can stand as candidates but have to meet additional conditions apart from residence requirements
<b>NO BUT</b>	Only the nationals of certain countries can stand as candidates
<b>NO</b>	Non-citizens cannot stand as candidates

### 3. 4. 3. Automatic vs. active registration

**Question:** *Are non-citizens automatically registered or do they have to register actively and periodically?*

<b>YES</b>	Non-citizens are automatically registered
<b>YES BUT</b>	Mixed automatic and active registration. E.g. non-citizens are automatically registered when identity cards are issued but have to re-register actively when they change residence
<b>NO BUT</b>	Generally non-citizens have to register actively, some groups are registered automatically
<b>NO</b>	Active registration required, only once or periodically or before each election

## 4.. Concluding remarks

The information in the CER datasets has been checked to the best of our knowledge. However, in some cases our interpretation of existing provisions may be incorrect or based on provisions no longer in force in 2019. In addition to our experts and official sources, we also rely on our users to provide us with feedback. Please let us know if you have you any questions or find errors, inconsistencies or ambiguities by contacting [GLOBALCIT](#). If we learn about incomplete or wrong information in CER, we will correct them as soon as possible. This means that from time to time there can be minor changes.

CER is made available freely for non-commercial use by the general public. We ask that users acknowledge the source when using our data for their research and in their publications.



## References

- Arrighi, J.T., and D. Hutcheson. 2013. *EUDO CITIZENSHIP. Database on Electoral Rights*. San Domenico di Fiesole: European University Institute.
- Hooghe, L., G. Marks, and A. H. Schakel. 2010. *The Rise of Regional Authority: A Comparative Study of 42 Democracies (1950-2006)*. London: Routledge.
- Schmid, S. D., J.T. Arrighi, and R. Bauböck. 2017. *ELECLAW Indicators. Measuring Voting and Candidacy Rights of Resident Citizens, Non-Resident Citizens and Non-Citizen Residents. Version 5.0*. San Domenico di Fiesole: European University Institute.
- Schmid, S. D., L. Piccoli, J.T. Arrighi. 2019. *Non-Universal Suffrage: Measuring Electoral Inclusion in Contemporary Democracies*. European Political Science (<https://doi.org/10.1057/s41304-019-00202-8>).

### ***Suggested citation for the database:***

Arrighi J.T., R. Bauböck, D. Hutcheson, A. Ostling, & L. Piccoli (2019), *Conditions for Electoral Rights*, San Domenico di Fiesole: European University Institute.

### ***Suggested citation for this explanatory note:***

Piccoli, L., S.D. Schmid, J.T. Arrighi, R. Bauböck & J. Dzankic (2019), *Explanatory Note: Conditions for Electoral Rights 2019*, San Domenico di Fiesole: European University Institute.

EXPLANATORY  
NOTE

