



**A UNICEF CANADA SUBMISSION FOR ELECTORAL REFORM:  
LOWERING THE FEDERAL VOTING AGE FROM 18 TO 16 YEARS**

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## INTRODUCTION

Canada is a country justifiably proud of our democratic tradition. We are also a country that is proud to respect children's universal rights, including children's right to be heard. We can further strengthen democracy and children's rights in Canada by allowing citizens from age 16 to vote in federal elections.

Some industrialized countries such as Austria, Norway and Scotland are seeing the early benefits of lowering the national election age to 16 years. Canadians are also sensitive to the need to enfranchise young people; Private Member's Bill C-213, introduced by MP Don Davies, proposes to amend the *Canada Elections Act* to lower the age of eligibility from 18 to 16. In Newfoundland and New Brunswick, members of the legislatures are advocating for a voting age of 16.

UNICEF Canada submits that a voting age of 16 years would be better aligned with children's rights under the Convention on the Rights of the Child and the evidence about their capacities to participate in the democratic process. It would also support the aim of electoral reform – to increase and fairly distribute democratic participation. It could improve political decisions, laws and policies that have a significant impact on children and youth today, and long into their future.

## ABOUT UNICEF

As a UN agency, UNICEF is active in 190 countries and we have saved more children's lives than any other humanitarian organization. UNICEF Canada is a Canadian non-governmental organization (NGO) established 60 years ago and is the representative of UNICEF in Canada. We work tirelessly as part of the global UNICEF family to do whatever it takes to ensure that children and young people survive and thrive, and have every opportunity to reach their full potential. Our global reach, unparalleled influence with policymakers, and diverse partnerships make us an instrumental force in shaping a world where the rights of all children are realized. For more information about UNICEF, please visit [www.unicef.ca](http://www.unicef.ca).

## OVERVIEW OF UNICEF CANADA'S POSITION

UNICEF Canada contends that children between the ages of 16 and 18 should have the right to vote in federal elections. As a large constituency – roughly a quarter of Canada's population – they are entirely unrepresented in important legal and policy decisions affecting their lives and their future. Lowering the voting age is likely to have a salutary effect on young people and on the democratic process – it is right in principle and practice – and an important consideration in Canada's electoral reform.

**UNICEF Canada recommends lowering the federal voting age from 18 to 16 years. In tandem, consideration should be given to support the broader civic education of young people along with inclusive and accessible voter registration and polling processes.**

**Should additional consultation be required, we recommend that a clause be included to amend the *Canada Elections Act* mandating a study of this matter, to be concluded by**

## **December 2017, so that young people can be enfranchised citizens in the year of Canada's sesquicentennial anniversary.**

### **Minimum Ages**

The establishment of a minimum age threshold in laws, policies and regulations is an approach generally intended to protect young people from decision-making responsibilities or from participating in rights considered to be beyond their capacity or to place them or others at risk. Minimum ages aren't always established through a careful, strategic process considering the full scope of children's rights and available evidence. As a result, some age thresholds are arbitrary, based on a presumption of capacity in adulthood and incapacity in childhood.<sup>1</sup> Social and cultural norms and beliefs often influence the ages at which certain behaviours are considered acceptable, regardless of evidentiary findings.<sup>2</sup> These norms and beliefs evolve over time and should be regularly questioned.

Evidence and rights analysis suggests that there is no protective benefit in preventing young people at age 16 and up from voting.<sup>3</sup> Unlike strategically selected minimum ages that protect children from the risks of alcohol or driving, neither young people nor other groups face a risk if young people participate in the electoral process.

### **Maturity and Competency**

The arguments used to deny children the right to vote from age 16 are not compelling enough to justify excluding them. The most commonly heard argument against lowering the voting age is that young people are not mature enough to participate in the electoral process.<sup>4</sup> This belief stands in contradiction to the evidence of competence that young people display in current civic education initiatives relative to adults. It also contradicts existing legislation that presumes capacity in young people. At the ages of 16 and 17, young people are trusted to make informed choices and display rational decision-making abilities in a range of serious decisions.<sup>5</sup> If the right to vote was based on a competency requirement, a number of other demographic groups may also be at risk of being denied their civil rights. Young people are unfairly characterized as incapable of rational decision-making simply by virtue of their age.

### **Influence**

An argument sometimes used to oppose lowering the voting age that is closely parallel to the argument around maturity suggests young people are too easily influenced to be entrusted with their own vote.<sup>6</sup> It's been suggested that young people will simply vote the same as their parents, as family is a powerful influence on voting choice.<sup>7</sup> Yet this argument can hold true at any age, not only for young voters.<sup>8</sup> Furthermore, during the Scottish referendum vote in which 16 and 17 year olds were allowed to participate, it was found that up to 40% of young people voted differently than their parents.<sup>9</sup> It was also found that they used a broader range of information sources to inform themselves before casting their vote than did other age groups.<sup>10</sup> This suggests that the role of parental influence is overestimated by proponents of this argument.

### **Interest**

A sentiment shared by some adults is that young people are ignorant of political affairs and have no interest in the political process or in voting.<sup>11</sup> However, many industrialized nations are experiencing a decline in voter participation rates, suggesting that adults are disinterested in the political process themselves. Yet adults are not required to prove a sufficient level of political interest or knowledge before being allowed to cast a vote.

Research and examples from abroad indicate that young people are in fact willing and able to participate in politics.<sup>12</sup> During the Scottish referendum, 75% of 16 and 17 year olds turned out to vote, compared to 54% of 18 to 24 years old, and 72% of 25 to 34 year olds.<sup>13</sup> Furthermore, 16 and 17 year olds were found to have levels of political interest similar to adults, and consulted a wide range of sources for political information - not only social media, as some had feared.<sup>14</sup> The turnout of young people at the ballots was so successful that there are now efforts to lower the voting age in Scottish national elections.<sup>15</sup>

Similarly positive results were seen when Norway allowed 16 and 17 year olds to vote in local elections in 2011, with a higher turnout rate than older first-time voters.<sup>16</sup> Likewise, a study in Austria (which lowered the voting age to 16 in 2007) found that citizens under 18 years old are just as motivated to take part in political life as older age groups.<sup>17</sup> This is because political issues and decisions affect their lives – there is self-interest as well as civic interest among young people.

## **Civic Engagement**

The interest and capacity of 16 and 17 year olds in other jurisdictions to participate in the electoral process indicates the potential for a lower voting age to increase electoral participation in Canada.<sup>18</sup> The main aim of the current electoral reform is to make the vote fairer and more participatory, which lowering the voting age would help achieve. Its stated primary goal is to “strengthen inclusion of all Canadians in a diverse society” and one of the five principles of the review is to “encourage greater engagement and participation in the democratic process, including by underrepresented groups.”

Canada already has a strong base of non-governmental organizations supporting credible civic education and participation among youth, including Samara, Civix and UNICEF Canada’s Bring Your MP to School Day. They demonstrate the capacity of young people to engage with the democratic system and can support school-based education. This can help ensure that 16 and 17 year olds are able to vote in as autonomous a manner as possible.<sup>19</sup> Scotland made a concerted effort to increase political education in the school curriculum, and found that 16 and 17 year olds exhibited more confident attitudes in their understanding of politics, which increased their likelihood of participating in the Scottish referendum.<sup>20</sup>

## **Children’s Rights**

Any decision regarding minimum ages must be in accordance with the Convention on the Rights of the Child, given Canada’s obligations. UNICEF Canada believes that lowering the voting age to 16 years would give greater effect to the rights set out in the Convention than the current voting age of 18. In particular, children’s right to be heard and to have their best interests considered would be well-served by lowering the voting age.

## The Right to be Heard

Article 12 of the Convention on the Rights of the Child states that,

*States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.<sup>21</sup>*

*2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.<sup>22</sup>*

The Committee on the Rights of the Child elaborates on this right in their General Comment No. 12, expressing the view that there is no minimum age threshold that activates the child's right to be heard:

*21. The Committee emphasizes that article 12 imposes no age limit on the right of the child to express her or his views, and discourages States parties from introducing age limits either in law or in practice, which would restrict the child's right to be heard in all matters affecting her or him...<sup>23</sup>*

*This principle, which highlights the role of the child as an active participant in the promotion, protection and monitoring of his or her rights, applies equally to all measures adopted by States to implement the Convention.<sup>24</sup>*

While this article is framed around the individual child, the point is that people under 18 have the right to express their views on matters affecting them and may do so even in courts of law. Yet there are few alternatives for children and youth to be heard by decision-makers. A 2007 Senate Committee report, "Children: The Silenced Citizens" found that,

*Children's voices rarely inform government decisions, yet they are one of the groups most affected by government action or inaction. Children are not merely underrepresented; they are almost not represented at all. The Convention on the Rights of the Child properly puts children at the centre, in the context of their family, their community, and their culture. Nevertheless, there is a real gap between rights rhetoric and the reality of children's lives in Canada – many people in Canada and elsewhere continue to resist full implementation of the Convention.<sup>25</sup>*

The United Nations Committee on the Rights of the Child recommended that Canada strengthen the meaningful and empowered participation of children in decision-making processes.<sup>26</sup> While UNICEF Canada commends the Government of Canada's launch of the Prime Minister's Youth Advisory Council, which should serve an important purpose in informing government policy, it does not establish a right to be heard for all children, nor does it establish the right in law - the highest and most sustainable standard - in this case, in the *Canada Elections Act*.

As young people don't currently have the vote in Canada, they have little to no ability to influence the decisions being made by elected politicians that affect them today and into the future. Issues of concern to, or about, children and youth rarely feature in political campaigns,

as those seeking political office aren't necessarily attuned to address issues that have no voice and constituencies who can't vote them into office. The inability to influence their elected representatives is a major reason why children's rights are not afforded the priority consideration they are due.<sup>27</sup>

The Committee on the Rights of the Child, while not having formally declared a position on the voting age, has commended States that have lowered their voting ages to 16 years.<sup>28</sup> They emphasize that children have a right to be involved in all matters that affect their lives, and this includes participation in democratic processes.<sup>29</sup>

Children's rights and available evidence confirm that lowering the voting age to include 16 and 17 year olds:

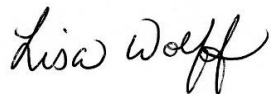
- Will not harm children or obstruct the protection to which they are entitled;
- Can have positive effects on civic engagement and democratic participation; and
- Strengthens the capacity of a vulnerable yet large constituency to make their views on issues affecting them known and acted upon.

We conclude that lowering the voting age is in the best interests of the child. As such, there is no justification within the parameters of the Convention on the Rights of the Child to deny young people the right to vote, and every justification to lower the voting age to 16.

## Conclusion

Canada should lower the voting age from 18 years to 16 years of age. Allowing young people to vote would support their various rights to development and protection. It would enable them to exercise their right to be heard and protect their democratic interests to the same degree as adults. It would contribute to fairer and more balanced political decision-making and shows promise to broaden democratic participation. Denying 16 and 17 year olds the right to vote serves no protective purpose. The risk to the adult population of expanding the right to vote to this age group is minimal. In contrast, it would be an important step towards improving levels of civic engagement across Canada, broadening the democratic foundation on which Canada was built.

Respectfully submitted on behalf of UNICEF Canada by:



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- <sup>2</sup> Ibid.
- <sup>3</sup> Ibid.
- <sup>4</sup> Franklin, Bob. Right to Vote: Children's Rights Means Citizens' Rights. CRIN Review No. 23. Child Rights Information Network. Oct 2009. [https://www.crin.org/en/docs/CRIN\\_review\\_23\\_final.pdf](https://www.crin.org/en/docs/CRIN_review_23_final.pdf)
- <sup>5</sup> Ibid.
- <sup>6</sup> Franklin, Bob. Right to Vote: Children's Rights Means Citizens' Rights. CRIN Review No. 23. Child Rights Information Network. Oct 2009. [https://www.crin.org/en/docs/CRIN\\_review\\_23\\_final.pdf](https://www.crin.org/en/docs/CRIN_review_23_final.pdf)
- <sup>7</sup> Ibid.
- <sup>8</sup> Ibid.
- <sup>9</sup> Children in Scotland. Written Evidence submitted to the Devolution (Further Powers) Committee regarding the Scottish Elections Bill. 2015. [http://www.parliament.scot/S4\\_ScotlandBillCommittee/Inquiries/2015.05.06\\_Children\\_in\\_Scotland.pdf](http://www.parliament.scot/S4_ScotlandBillCommittee/Inquiries/2015.05.06_Children_in_Scotland.pdf)
- <sup>10</sup> Ibid.
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- <sup>14</sup> The Scottish Parliament. Stage 1 Report on the Scottish Elections (Reduction of Voting Age) Bill. Devolution (Further Powers) Committee. 4th Report, Session 4. 20th May 2015. [http://www.parliament.scot/S4\\_ScotlandBillCommittee/Reports/dfpR-15-04w.pdf](http://www.parliament.scot/S4_ScotlandBillCommittee/Reports/dfpR-15-04w.pdf)
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