

Democratic elections

Voting at 16

Consequences on youth participation
at local and regional level

Congress of Local and Regional Authorities
of the Council of Europe

The Congress



Le Congrès

COUNCIL OF EUROPE



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| *Le vote à 16 ans - Conséquences sur la participation*
| *des jeunes aux niveaux local et régional*

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Foreword

The Congress of Local and Regional Authorities has been working on the issue of including young people in political decision-making processes at local and regional level for many years. Elections are key to the active political participation of citizens, especially young people.

Moreover, since 2014, the Congress has invited youth delegates from different backgrounds to take part in its sessions, to have their say in the debates and to exchange with Congress members on the issues on the agenda.

Against the background of socio-political developments over the last few decades and growing disenchantment with politics, lowering the voting age has become a matter of public interest. The measure helps to strengthen civic, social and political engagement in a broad sense and may increase voter turnout in the long term. It reflects a desire to expand the recognition of citizen authority and enhance political inclusion and participation as basic principles of representative democracy.

In recent years, parliaments across Europe have increasingly been discussing whether to lower the voting age to 16. While the minimum voting age is still 18 in most Council of Europe member states, several countries have decided to lower it to 16 for local and regional elections.

Demographic shifts, education, greater access to information, notably through new technologies, and increased political awareness have significantly improved the decision-making capacities of young people and their ability to make an informed choice.

The Congress firmly believes that elections are the main “transmission belt” for citizens’ political participation and that local and regional ballots offer an ideal opportunity to experiment with lowering the voting age to 16. With a view to promoting a reduction in the minimum voting age in such elections, it has adopted a report setting out the issues at stake in the debate here based on a comparative analysis of current practices regarding voting rights at local and regional level in the various Council of Europe member states.

The report also highlights several related matters, including gradually lowering the age requirement to stand for election and systematically providing civic and political education in schools; for the most effective way to teach young people about democracy is to make political education compulsory at an early age, particularly between 12 and 16. That is the only time when all young people – even those from the most excluded backgrounds – are still in the school system.

The Congress of Local and Regional Authorities has conducted regular activities to observe local and regional elections in the Council of Europe member states, and sometimes beyond, since 2001. This activity complements the political monitoring of the European Charter of Local Self-Government, a unique international treaty which is the cornerstone of local democracy in Europe.

The “Democratic Elections” series presents reports adopted by the Congress on recurring and transversal issues relating to local and regional elections.

- ▶ The situation of independent candidates and opposition in local and regional elections (2022).
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- ▶ Electoral lists and voters residing de facto abroad (2015).
- ▶ Voting at 16 – Consequences on youth participation at local and regional level (2015).

Voting at 16

Consequences on youth participation
at local and regional level

Explanatory memorandum

CG/2015(29)8FINAL

20 October 2015

Monitoring Committee

Rapporteur: Liisa ANSALA, Finland (L, ILDG)

Summary

Against the background of socio-political developments over the last decades and growing disenchantment with politics, lowering of the voting age has become an issue of public interest in Europe and beyond. This reflects, in principle, a desire to expand the recognition of citizen authority and expand political inclusion and participation as basic principles of representative democracy.

While most countries worldwide have set the minimum voting age at 18, demographic shifts, education, greater access to information, notably through new technologies, and increased political awareness have significantly improved decision making among the youth. In addition, in many areas young people are treated like adults, they have to pay taxes, may hold a job as well as legal responsibilities and can be prosecuted in a court. Thus, they should enjoy the same democratic rights as adults. Overall, there is a general trend – also from a historical perspective – towards a reduction of the voting age. Still, there are also several counter-arguments and thus the topic continues to be the subject of heated debates in many countries.

The present report offers insight into this debate and includes sections on pro and contra arguments related to the lowering of the voting age to 16, with particular attention to local and regional elections, international standards on universal suffrage and permissible restrictions, such as voting age, domestic examples of lowering

the voting age as well as related issues (notably trends to reduce the minimum age to stand for elections and adjacent means required for the successful implementation of lowering the voting age, e.g., an educational reform including civic education in schools).

On this basis, the Congress asks its committees to further promote the issue of lowering the voting age to 16 in local and regional elections, in line with its overall youth strategy, acknowledging elections as a main “transmission-belt” for citizens’ political participation. Furthermore, it suggests that the committees consider making political education compulsory at a young age (12-16 years), as an adjacent tool to a possible lowering of the voting age to 16, allowing for the meaningful participation and informed choice of young people in grassroots’ elections.

BACKGROUND¹

In the light of growing public interest for the lowering of the voting age, several countries have opted for a “step by step approach” and started by changes in specific sectors, often related to local and regional elections. In fact, local and regional elections seem to be a particular good “test-case” for a reduction of voting age since local agendas are usually more comprehensible to voters and given the more direct contact with local politicians.² This is also confirmed in the domestic practice of several Council of Europe countries which lowered voting age only for local and/or regional elections.

Furthermore, enhancing active political participation is a topical issue at this moment in today’s youth.³ The most commonly used arguments in favour of lowering the voting age include the increase in voter turnout in the long run,

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1. The report was drafted with the contribution of Prof. Christina Binder, University of Vienna.
 2. See p.19 for further details.
 3. The revised European Charter on the Participation of Young People in Local and Regional Life states that “Participation and active citizenship is about having the right, the means, the space and the opportunity and where necessary the support to participate in and influence decisions and engage in actions and activities so as to contribute to building a better society.” The Charter is available at <https://wcd.coe.int/ViewDoc.jsp?id=39661&Site=Congress>

augmented political consciousness and engagement among adolescents, a greater say for young people in political decisions, thus responding to the criteria of a representative democracy, and the empowerment of young people.⁴ Moreover, today's youth has, thanks to information technology, an unprecedented access to information to form a mature opinion on issues of public interest.

To discuss the issue of voting age is crucial since elections are the main "transmission"-belt for citizens' political participation. Accordingly, the voting age delineates the starting point of a person's participation in democratic decision-making.⁵ Participation in elections is also recognised as a fundamental human right.⁶ It is thus against the standards on political participation, and more particularly the principle of universal suffrage, that the debate on voting at 16 is to be assessed.

4. See p.19 for further details.

5. Democracy is inconceivable without elections held in accordance with certain principles that lend them their democratic status, *i.e.* to implement people's rule. There is a general agreement about the centrality of elections as the means by which the people expresses its will, and through which it lays down the constitutional basis for the authority of government; but elections are neither the beginning, nor the end of democracy. (See eg the Electoral Cycle Approach relied upon by the European Union, EC Methodological Guide on Electoral Assistance, 2006, http://eeas.europa.eu/eueom/pdf/ec-methodological-guide-on-electoral-assistance_en.pdf.)

6. See, *e.g.*, Art. 25 ICCPR, Art. 21(3) UDHR, Art. 3 of Prot. No. 1 to the ECHR.

International standards on voting age are generally broad. On the one hand, universal suffrage⁷ is considered to be one of the most basic criteria for an election to be labelled democratic; on the other hand, suffrage never extends to all those who are ruled. The right to vote, considered as an individual's entitlement, may be subject to reasonable restrictions such as minimum age requirements.⁸

There tends to be a consensus among democratic countries about voting age requirements as permissible/legitimate restrictions to universal suffrage:⁹ An overwhelming majority of democracies worldwide have agreed that the standard minimum voting age should be 18 (see, e.g., France, Italy, UK or Finland). Still, this consensus on the minimum age being 18 is fragile. Also, it has changed over time.

From a historical perspective, the democratic trend over the last 200 years has been to remove one restriction after

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7. Universal suffrage covers both active (the right to vote) and passive electoral rights (the right to stand for election).
 8. Other reasonable restrictions include nationality, residence as well as mental incapacity or a criminal conviction for a serious offence. (See Venice Commission, Code of Good Practice in Electoral Matters, I.1.1.).
 9. See here the study of Blais et al. (2001). They claim that only two reasonable restrictions, being minimum voting age and mental capability, have reached universal support and are considered legitimate. There is a general trend towards removal of all restrictions; still, as Katz (1997: 216) reminds us "no country allows all adults to vote."

another to full participation, including by lowering the voting age.¹⁰

The concern with youth participation in European politics, in particular among the member states of the Council of Europe, is far-reaching¹¹. Although in Recommendation 1315 (1997)¹²

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10. The first country to lower the minimum voting age from 21 to 18 was Czechoslovakia in 1946. This precedent was followed by a first expansion wave in the 1970s with several big democracies, such as the UK, Canada, Germany, the US, the Netherlands, Finland, Sweden, France or Australia enlarging the universal franchise. The discussion on lowering the voting age further to 16, at both local and national levels, emerged by the end of 1990s, beginning of 2000s. Austria, Brazil, Cuba, Ecuador and Nicaragua have lowered the voting age to 16. The voting age in Indonesia, North Korea, Timor-Leste and the Seychelles is 17. (For an overview see Blais et al. 2001. See furthermore *Council of Europe Recommendation 1019 (1985) 'Participation of young people in political and institutional life'*, <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=15053&lang=en>; *Council of Europe Recommendation 1286 (1996), 'European strategy for children'*, <http://assembly.coe.int/main.asp?Link=/documents/adoptedtext/ta96/erec1286.htm> for further reference.) See below p. 55 for the parallel trend to reduce the minimum age to stand for elections.
 11. See, e.g., *Council of Europe Recommendation 1019 (1985) 'Participation of young people in political and institutional life'*, <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=15053&lang=en>; *Council of Europe Recommendation 1286 (1996), 'European strategy for children'*, <http://assembly.coe.int/main.asp?Link=/documents/adoptedtext/ta96/erec1286.htm>.
 12. *Council of Europe Recommendation 1315 (1997), 'Minimum age for voting'*, <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=15349&lang=en>

on the minimum age for voting the Parliamentary Assembly did not recommend the lowering of the voting age to 16, it called on member states to rapidly harmonise the age for the right to vote and stand for election at 18 years in all countries and for all elections and to create the necessary preconditions for the participation of young people in civic life through education and the promotion of community involvement. Resolution 1630 (2008)¹³ of the Parliamentary Assembly underlined that the encouragement of the active participation of young people in civic and institutional life was a key element in the youth policy of the Council of Europe¹⁴. Most importantly, a motion for a resolution entitled 'Expansion of democracy by lowering the voting age to 16' was tabled with the Parliamentary Assembly in May 2009 by the Committee on Political Affairs and Democracy.¹⁵

Furthermore, in parliaments throughout Europe, the issue of lowering the voting age to 16 has been increasingly discussed in recent years¹⁶ and certain Council of Europe member states amended already their respective legislation.

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13. *Council of Europe Resolution 1630 (2008), 'Refreshing the youth agenda of the Council of Europe'*, <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=17675&lang=en>
 14. *Council of Europe Resolution 1630 (2008), 'Refreshing the youth agenda of the Council of Europe'*, <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=17675&lang=en>
 15. Parliamentary Assembly, Minimum age for voting, Report, Doc. 12546, 22 March 2011, <http://assembly.coe.int/ASP/Doc/XrefViewPDF.asp?FileID=13110&Language=EN>
 16. The arguments for and against are well summarised in Cowley/Denver 2004 and Folkes 2007.

A wide range of youth organisations further advocate the agenda¹⁷ and it is supported as formal party policy by diverse mainly left-leaning political parties, such as the British Liberal Democrats, the Danish Social Democrats and the Australian Greens.¹⁸

Despite the growing momentum, there is also considerable resistance, both among the public and politicians in European states, to introduce this change. Reasons against the lowering of the voting age include lack of maturity for making choices, lack of interest and knowledge, possible low participation and possible bad quality of the voter's choice.¹⁹

Against this background, local and regional elections may serve as a particularly good “starting-point” for the lowering of the voting age. This, in particular, since the scope of local self-government usually concerns areas which are of immediate relevance to young people. Furthermore, the agenda of local and regional elections is concrete in scope and thus more easily comprehensible. Finally, local and regional politicians are generally more easily known to young voters and this facilitates the choice of the electorate. In line with these considerations, local and regional elections seem particularly apt to be opened to youth participation.

17. See, e.g., Vote@16; <http://www.voteat16.ie>; or League of Young Voters <http://www.youngvoters.eu/eu>; European Youth Forum <http://www.youthforum.org>.

18. McAllister 2014.

19. See for more details Section p. 28.

PRO AND CONTRA VOTING AT 16

The question of whether or not to lower the voting age to 16 cannot be determined by one single factor. The debate raises a number of political, legal and social issues, such as implications on election turnout, or constitutional and normative arguments that need to be taken into consideration when engaging with voting at 16. The opinions, not only among the public and the politicians, but also within academia, differ without providing for a consistent answer. Still, a general trend seems to point towards a reduction of voting age. So, how old is old enough to vote? The present report first discusses the arguments in favour.²⁰

Arguments presented in favour

a. Civic commitment, access to information and better turnout

It is believed that lowering the voting age to 16 might have a positive effect on election turnout in the long run, as young people are given an opportunity to exercise their rights at an early stage.²¹ As Franklin²² argues, “the most promising

20. See, e.g., Electoral Commission 2004; Power Commission 2006; Franklin 2004; Kozeluh, Nitsch 2006, Votes at 16, 2008; Hart/ Atkins 2011 et al.

21. See, e.g., the *Council of Europe draft Resolution* on expansion of democracy by lowering the voting age to 16, Parliamentary Assembly, Minimum age for voting, Report, Doc. 12546, 22 March 2011, <http://assembly.coe.int/ASP/Doc/XrefViewPDF.asp?FileID=13110&Language=EN>.

22. Franklin 2004: 213.

reform that might restore higher turnout would be to lower the voting age still further, perhaps to fifteen. [...] They could then learn to vote in the context of a civic class project where they were graded on their ability to discover relevant information [...].” In line with this idea, young voters’ participation is considered crucial as participation in the first election has an impact on one’s voting career, and those who start as a voter, stay a voter, as they develop a habit of voting.²³ Voting rights thus lead to increased political consciousness and engagement among adolescents.²⁴ The enthusiasm and zeal of young people would thus justify lowering the voting age to the benefit of society as a whole.

Other proponents of lowering the voting age insist that today’s youth are able to make reasonable political decisions and show more or less the same skills and levels of maturity as 18-year olds. The supporters further argue that there is no neurological evidence to date that indicates that 16- and

23. “If voting is in part a habit [...] acquired in late adolescence and early adulthood, then this habit will likely be strengthened by allowing 16- and 17-year-olds to vote.” (Hart/Atkins 2011: 218); see also Dinas, 2012; Gerber et al., 2003; Plutzer, 2002; Parliamentary Assembly, Minimum age for voting, Report, Doc. 12546, 22 March 2011, <http://assembly.coe.int/ASP/Doc/XrefViewPDF.asp?FileID=13110&Language=EN>.

24. Bergh 2013. Most important, it is believed that this socialisation process (of getting used to voting) will likely increase voter turnout in the future since the “habit of voting” is formed at an earlier age. See, e.g., Hart/Atkins 2011; see here also the Scottish case study Referendum on Independence where 97% of those 16-17 year olds who reported having voted said that they would vote again in future elections and referendums.

17-year olds lack the requisite neurological maturation necessary for citizenship or for responsible voting. The age of 18 as a voting age is set arbitrarily and does not reflect the demographic, social and technological changes in today's societies. There is little evidence to indicate that 16- and 17-year-olds make voting decisions that reflect political immaturity in the sense that they tend to vote for radical parties or utopian dreams.²⁵ As surveys in Austria and the US have shown, young people are not likely to hold extreme views or beliefs fundamentally different from other voter groups.²⁶ Therefore, a disturbance of the balance of political views does not seem likely.

Unlike previous generations, young people are much more informed as they undertake courses at school such as civil, social and political education courses. Additionally, in comparison to previous generations who may only have had access to local and national media, young people today have access to the Internet and social media networks where they can gather information and engage in discussions on issues and politics. As young people are taught about democracy and participation at school, they should also get a chance to practice it by being able to vote.

From a normative perspective, it is argued that young people deserve a greater say in political decisions that concern them as they are affected by government decisions as well. As the Draft Resolution of the Committee on Political Affairs and Democracy of the Council of Europe (2011) on 'Expansion of

25. Hart/Atkins 2011: 218.

26. Wagner/Johann/Kritzinger 2012.

democracy by lowering the voting age to 16' highlights, the larger the share of society taking part in elections, the greater the representativeness of those elected.²⁷ Voting rights engage young people who already hold many rights and responsibilities²⁸ in societies at the ballot and they empower them through a full democratic right to influence decisions defining young people's future. It also enables young ones to raise issues that persistently affect young people in their area and vote on whether the introduction of a policy would improve these issues.²⁹ Furthermore, if the voting age was reduced to 16, more young people are likely to participate and engage in party politics. Political parties would benefit from younger recruits whose vibrancy and youth could greatly contribute to the formulation of policies, which reflect the views of a large section of society.

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27. Parliamentary Assembly, Minimum age for voting, Report, Doc. 12546, 22 March 2011, <http://assembly.coe.int/ASP/Doc/XrefViewPDF.asp?FileID=13110&Language=EN>.
 28. *Ibid.*. For example, in the UK people at 16 can give full consent to medical treatment, leave school and enter work or training, pay income tax and National Insurance, obtain tax credits and welfare benefits in their own right, consent to sexual relationships, get married or enter a civil partnership, join the armed forces, become a member of a trade union or a co-operative society et al.
 29. A good example would be, e.g., a referendum on compulsory military service.

b. The demographic factor

One of the main normative arguments for lowering the voting age is that persons under 18 constitute a third of humanity, yet lack representation in matters deeply affecting their lives. The demographic evolution in Europe³⁰ could lead to the increasing marginalisation of young people in the political process, which risks being dominated by issues primarily of interest to older people. Such a development could endanger the stability of democracy at a time when social cohesion is more important than ever.³¹

Equally, the level of turnout at elections is often seen as an indicator of the health of a democracy,³² yet there is a general trend towards declining rates of electoral participation in Western Europe.³³ The increasingly low turnout at elections

30. In 2000, 12.4% of the European population was aged between 15 and 24, whereas the group of 65- to 90-year-olds made up 16.2%. Eurostat projections show that, by 2020, the group of 15- to 24-year-olds will account for 10.9% of the population and the group of 65- to 90-year-olds for nearly twice this, 20.6% of the total. Lowering the voting age would contribute to maintaining a demographic balance between young people and adults. For further details see Parliamentary Assembly, Minimum age for voting, Report, Doc. 12546, 22 March 2011, <http://assembly.coe.int/ASP/Doc/XrefViewPDF.asp?FileID=13110&Language=EN>.

31. Parliamentary Assembly, Minimum age for voting, Report, Doc. 12546, 22 March 2011, <http://assembly.coe.int/ASP/Doc/XrefViewPDF.asp?FileID=13110&Language=EN>.

32. Fieldhouse et al. 2007.

33. See, e.g., Aarts/Wessels 2005; Blais/Rubenson, 2007; Franklin et al. 2004.

throughout Europe, in particular of the 18 to 24 age group, is thus worrying for the future of democracy.³⁴ This has led to fears that democratic legitimacy may decline as elections increasingly fail to act as the 'institutional connection' between citizens and the state.³⁵ It is argued that democratic legitimacy requires the presumptive electoral inclusion of members of the political community.³⁶ If greater measures (such as reducing the voter age to 16) are not implemented to actively engage young people in the political system at an earlier age, the consequences for democracy will be threatened by the emergence of a government and political representatives elected by a minority who are unrepresentative. Such a situation would have profound implications for future generations and would result in the emergence of a state which is not accountable to the majority of its citizen's.³⁷ Enfranchising young people could therefore be considered a democratic necessity in order to not unfairly distribute influence. Lacking enfranchisement contributes to minors constituting some of society's most vulnerable, poorest and least protected members.

34. Parliamentary Assembly, Minimum age for voting, Report, Doc. 12546, 22 March 2011, <http://assembly.coe.int/ASP/Doc/XrefViewPDF.asp?FileID=13110&Language=EN>.

35. Topf 1995.

36. See, e.g., Hamilton 2012; Parliamentary Assembly, Minimum age for voting, Report, Doc. 12546, 22 March 2011, <http://assembly.coe.int/ASP/Doc/XrefViewPDF.asp?FileID=13110&Language=EN>.

37. Parliamentary Assembly, Minimum age for voting, Report, Doc. 12546, 22 March 2011, <http://assembly.coe.int/ASP/Doc/XrefViewPDF.asp?FileID=13110&Language=EN>.

There is a global and European momentum towards extending the right to vote to young people who are 16 and 17 years old. As stated in a different section of the present Report, Austria is the first country in the European region that introduced voting at 16 at all levels in 2007. The numerous studies³⁸ conducted on the topic show that, in terms of participation in elections as well as political preferences, persons younger than 18 are not substantially different in their voting behaviour³⁹ compared to the other groups. The Austrian case study shows that voters below 18 are politically mature⁴⁰ enough to exercise their political rights and the researchers involved claim that these findings can be applied to other European countries.⁴¹ Also in the US, opinions of older and younger voter groups do not significantly differ on most topics⁴². In the UK, the difference between age groups exists but is less prominent than usually portrayed: 28.7% of persons aged 16-17 are interested in politics, compared to 30.8%

38. See, e.g., Wagner et al. 2012; Zeglovitsch/Zandonella 2013; Zeglovitsch/Aichholzer 2014 et al.

39. The young Austrians do “not differ in terms of their democratic disaffection and their motivation to participate in politics from other age groups”. (Wagner et al. 2012: 376)

40. Political maturity is defined here as political interest, party identification, political knowledge and attitudinal consistency.

41. See Wagner et al. 2012: 381.

42. For details see Hart/Atkins 2011; Exceptions are, e.g., federal funding of schools and colleges that are favoured by younger voters much more than by older ones. (2011: 142). One result of enfranchising 16-year olds would thus probably result in broadened support for social policies. (Hart/Atkins 2011: 217).

of persons aged 18-21 and 35.8% of persons aged 22-25.⁴³ Accordingly, empirical studies show that a general (and positive) trend is in favour of the lowering voting age to 16.

Voting age is dependent on the environment and thus finally in the hands of each society/dependent. There are possibilities to create an enabling environment and thus the precondition for a reduction of voting age. Further consideration when contemplating lowering the voting age thus has to be given to agents of political socialization who make young people vote or abstain. These include in particular family, peers/friends, media and school. School is involved either directly, via civic and citizenship education or indirectly, via elements of school democracy. Schools can constitute a model for democratic participation if students are involved in their decision-making process.⁴⁴ The 16- and 17-year olds benefit from the established education structures and the civic and citizenship education at schools. Because of being strongly embedded in schools and families, young voters would hence 'learn to vote' in a more sheltered environment. The stable social environment and also the provided relevant informa-

43. Note also that researchers found that even though young people indicated they were not interested in politics (in the abstract sense), they still held strong and informed views when asked about more concrete and narrow topics such as environmental protection, welfare, public spending and so on. Therefore, the results of the surveys depend a lot on the way the question is asked.

44. Parliamentary Assembly, Minimum age for voting, Report, Doc. 12546, 22 March 2011, <http://assembly.coe.int/ASP/Doc/XrefViewPDF.asp?FileID=13110&Language=EN>.

tion are, in general, the basis for political participation.⁴⁵ Studies also show that there is little cognitive development after age 16. Eurobarometer survey findings found that the longer people remain in formal education institutions, the more likely they are to vote: 50% voted when leaving the education system at the age of 15, compared to 80% when leaving at 20.⁴⁶ Children's parliaments, an initiative launched in around 30 countries worldwide, have proven that children as young as six can be engaged, thoughtful, and effective voters.

c. Local and regional elections as a "test case" for voting at 16

Local self-government covers a concrete scope of matters which are close to the citizens. They are thus more easily comprehensible and particularly apt for reducing the voting age to 16. Article 4(3) of the European Charter of Local Self-Government on the scope of local self-government enshrines the principle of subsidiarity: "Public responsibilities shall generally be exercised, in preference, by those authorities who are closest to the citizen." Generally, those matters include, as in Austria, local and municipal agendas. They are thus of direct concern to all in the local community. Also, local and regional politicians are generally better and more easily known in their community and to their voters. The electoral choice should therefore more easily be made. In sum, there is a particularly strong case for giving the 16-year old

45. Franklin 2004.

46. Eurobarometer, European Youth: Participation in democratic life: http://ec.europa.eu/youth/library/reports/flash375_en.pdf.

a say in local and regional matters through the reduction of voting age in local/regional elections. This is also supported by domestic/empirical evidence. As will be shown in another section of the present report, several countries have lowered voting age only in case of local/regional elections.

Arguments presented against

There are also several arguments brought forward against the lowering of voting age. The issue is complex.⁴⁷ This complexity arises, as it is an interconnection between political involvement, conceptions of active citizenship and openness of a society to such an idea. Still, as will be shown, the opponents' arguments are of less immediate concern at local and regional level.

a. Lack of maturity and autonomy

Notwithstanding the empirical evidence derived from the Austrian case study,⁴⁸ opponents of lowering the voting age claim voting rights do not affect the political maturity of 16- and 17-year olds and that there is a consistent difference in political maturity between 16- and 17-year olds on the one

47. Excluding non-adults from the franchise is commonly justified on the ground that only mature people can make reasoned choices. It is claimed that adolescents lack knowledge, or might be influenced by their parents. Blais et al. 2001: 43.

48. See p. 49 for further reference.

hand, and 18-year olds on the other.⁴⁹ These differences are not substantially large, but they are consistent across all measured indicators: 1) interest in politics; 2) political efficacy; 3) attitudinal constraint; and 4) constituency between attitudes and (hypothetical) vote choice.⁵⁰ It is also argued that the young people's enthusiasm is caused mostly by inexperience and should be handled with greater caution. Furthermore, given their limited experience, young people may be more easily influenced and, thus, more inclined to vote for known persons such as public "celebrities". Finally, young people have been shown to be less likely to vote, to follow an election campaign or to join a political party.⁵¹ Still, this holds somehow less true at the local level where young people are more easily involved.

The opposing opinion holders argue that lowering the voting age to 16 disregards that young people gain a number of other rights and responsibilities (in particular in Western societies) only at the age of 18. 18 is also customarily and legally considered the age when one becomes an adult and

49. See, e.g., McAllister 2014 for the case study of Australia. He argues that there is no evidence that lowering the voting age would increase political participation or that young people are more politically mature today than they were in the past.

50. Bergh 2013.

51. See, e.g., Fieldhouse et al. 2007; Martin 2012

it thus fits with other minimum age limits.⁵² Jan Degerman argues that autonomy (as a result from the development of identity) can only be generated through interaction with society. These interactions must be possible for a person (like the ability to enter into contracts, legally drink alcohol, own a house etc.) and since persons below 18 are denied lots of these interactions, they cannot be considered autonomous.⁵³ Some researchers⁵⁴ have argued that the frontal lobes of the brain necessary for emotional stability, long-term planning and other “adult” brain functions are not fully developed until the age of 20, which in their opinion disqualifies 16-year olds from voting. Also these – disputed – findings are of less relevance for the local and regional level given the more concrete scope of its agenda.

b. Public opinion and societal issues

A further argument against the expansion of the right to vote to 16-year olds is the differentiated treatment of minors in other areas of society. For instance, the criminal code establishes usually a special treatment of juvenile offenders,

52. Article 1 of the 1989 Convention on the Rights of the Child defines a child to mean ‘every human being below the age of 18 years unless, under the law applicable to the child, majority is attained earlier’. See also Art. 1, 1990 African Charter on the Rights and Welfare of the Child, to similar effect.

53. Democraticaudit.com 31.

54. See, e.g., Dawkins/Cornwell 2003; Reyna/Farley 2006; Ernst/Paulus 2005.

including more lenient court sentences.⁵⁵ There is also the argument on the public opinion and that the majority of (adult) voters in most of the countries seem to oppose voting rights for 16- and 17-year olds.⁵⁶ This argument by itself cannot suffice to make a decision, of course, but political parties often use it as an excuse not to open up the debate.

INTERNATIONAL STANDARDS AND BEST PRACTICES

Numerous international instruments set standards for the right to political participation and its permissible restrictions, including the establishment of minimum criteria for voting age. These include Article 21 of the Universal Declaration of Human Rights (UDHR), and Article 25 of the International Covenant on Civil and Political Rights (ICCPR) at the universal level and Article 3 Protocol No. 1 to the European Convention on Human Rights (ECHR) at the European regional level.

The abstract criteria contained in these instruments as regards the establishment of voting age – which crystallise in the question of “reasonable restrictions” to the principle of universal suffrage – are further detailed in soft law standards (Code of Good Practice of the Venice Commission, General Comment No. 25 by the Human Rights Committee) and the

55. In Finland, for instance, the punishment is $\frac{3}{4}$ of the punishment given to youngsters over 18 years. For reference see the website: <http://www.oikeus.fi/tuomioistuimet/karajaoikeudet/en/index/rikosasiat/nuoririkoksentekija.html>.

56. See, e.g., the work of Chan/Clayton 2006; In the UK, a majority of 60% opposed voting rights for 16-year olds in 2013.

(limited) case law of monitoring institutions. Still, as will be shown, the criteria are very broad and states enjoy a wide margin of appreciation as regards the establishment of voting age.

Universal Instruments

Article 21 of the 1948 Universal Declaration of Human Rights (UDHR) states that the will of the people shall be expressed in periodic and genuine elections, which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures. Still, reasonable restrictions to universal and equal suffrage, including age requirements, are generally held to be permissible.

Article 25 of the 1966 International Covenant on Civil and Political Rights (ICCPR) confirms the entitlement of every citizen to take part in the conduct of public affairs, to vote and to be elected. However, this right is not absolute but may be subject to reasonable limitations, including minimum age requirements for exercising the right to vote⁵⁷ (or residence requirements).

These rather general criteria are further specified by the treaty monitoring institutions which provide further details on voting age: The Human Rights Committee, General Comment No. 25, para. 15 states that the 'effective implementation of

57. The rationale for certain conditions such as age or residence is obvious: a sufficient level of maturity and connection to the community. Note that the criteria for individual candidature commonly follow those but are generally stricter. For details see below, p. 55.

the right and the opportunity to stand for elective office ensures that persons entitled to vote have a free choice of candidates. Any restrictions on the right to stand for elections, such as minimum age, must be justifiable on objective and reasonable criteria.⁵⁸ Setting a minimum age limit for the right to vote is generally considered a reasonable restriction.⁵⁹

58. § 15, *General Comment No. 25: The right to participate in public affairs, voting rights and the right of equal access to public service (Art. 25)*, UN Doc. CCPR/C/21/Rev.1/Add.7, 12 July 1996. As regards the right to stand for elections, § 15 specifies: "Persons who are otherwise eligible to stand for election should not be excluded by unreasonable or discriminatory requirements such as education, residence or descent, or by reason of political affiliation. No person should suffer discrimination or disadvantage of any kind because of that person's candidacy. State parties should indicate and explain the legislative provisions which exclude any group or category of persons from elective office." Age requirements for the right to stand for elections may be higher than the right to vote: The General Comment, § 4, recognizes that 'it may be reasonable to require a higher age for election or appointment to particular offices than for exercising the right to vote, which should be available to every adult citizen.'

59. § 10, *ibid.*

Regional instruments⁶⁰

Article 3 of Protocol No. 1 to the European Convention on Human Rights (ECHR) provides that free elections shall be held under conditions which will ensure the free expression of the opinion of the people in the choice of legislature.⁶¹ Although not all elections fall within the scope of Article 3 of Protocol No. 1

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60. The idea of universal suffrage is also common to the 1981 African Charter on Human and Peoples' Rights (Article 13) and to the 1969 American Convention on Human Rights (Article 23). See *Case of Castañeda Gutman v. México*, IACtHR, Judgment of 6 August 2008, § 155, where the Court discusses Article 23(2) [referring to 'age, nationality, residence, language, education, civil and mental capacity, or sentencing by a competent court in criminal proceedings'] as 'enabling conditions that the law can impose to exercise political rights. Restrictions based on these criteria are common in national electoral laws, which provide for the establishment of the minimum age to vote and to be elected, and some connection to the electoral district where the right is exercised, among other regulations. Provided that they are not *disproportionate or unreasonable*, these are limits that the States may legitimately establish to regulate the exercise and enjoyment of political rights and that, it should be repeated, they refer to certain requirements that the titleholders of political rights must comply with so as to be able to exercise them.' [emphasis added].
61. Article 3 Protocol 1: "The High Contracting Parties undertake to hold free elections at reasonable intervals by secret ballot, under conditions which will ensure the free expression of the opinion of the people in the choice of the legislature."

- local elections are generally not covered by its guarantees⁶²,
- general parameters may be derived from Article 3 of Protocol No. 1 also for the discussion of voting age.

Equal and universal suffrage is a core principle established in Article 3 of Protocol No. 1 ECHR. Certain limitations are however permissible as the rights under Article 3 are not absolute. As exemplified in *Ždanoka v. Latvia*, “[t]here is room for ‘implied limitations’; and the Contracting States must be given a wide margin of appreciation in this sphere. [...] It is however for the Court to determine in the last resort whether the requirements of Article 3 of Protocol No. 1 have been complied with; it has to satisfy itself that the conditions imposed on the rights to vote or to stand for election do not curtail the exercise of those rights to such an extent as to impair their very essence and deprive them of their effectiveness; that they are imposed in pursuit of a legitimate aim; and that the means employed are not disproportionate. [...]”⁶³ A minimum

62. Article 3 of Protocol No. 1 ECHR is applicable to local and regional elections only insofar as the elected authorities can be considered “legislatures” in the meaning of Article 3, *i.e.* when they exercise legislative powers. Whether a body qualifies as “legislature” has to be answered in the light of the constitutional structure of the state in question; the body needs sufficient competences that are typical for a legislative body, in particular the competence to enact laws. For further reference see C. Grabenwarter, *European Convention on Human Rights, Commentary*, P1-3, para 4 (p. 402). See also European Commission, *X v. United Kingdom*, 28 February 1979; ECtHR, *Molka v. Poland*, 28 June 2005 and 11 April 2006, pp. 14-15.

63. §§ 103-104, *Ždanoka v. Latvia*, App. No. 58278/00, 16 March 2006 [GC].

age to vote or to stand for election constitutes an interference with the guaranteed rights. Thus, in *Hirst v. the United Kingdom (No. 2)*, the Court discussed as possible limitations the imposition of a minimum age, finding that it “may be envisaged with a view to ensuring the maturity of those participating in the electoral process [...]. Any departure from the principle of universal suffrage risks undermining the democratic validity of the legislature thus elected and the laws it promulgates. Exclusion of any groups or categories of the general population must accordingly be reconcilable with the underlying purposes of Article 3 of Protocol No. 1 [...].”⁶⁴

Accordingly, while States parties are given a wide margin of appreciation as regards possible restrictions on the principle of universal suffrage, the ECHR provides for relevant criteria when finding that such restrictions must not infringe the essence of the right to free elections, that they must be reasonable and not disproportionate. Any age requirements for elections must be measured against these criteria.

These criteria are further detailed in the *Venice Commission Code of Good Practice (2002)* which states that universal suffrage may, and indeed should, be subject to certain conditions. There must be a minimum age for the right to vote (and the right to stand for election); however, attainment of the

64. § 62, *Hirst v. the United Kingdom (No. 2)*, App. No. 74025/01, 6 October 2005 [GC].

age of majority, entailing not only rights but also obligations of a civil nature, must at least confer the right to vote.⁶⁵

The age of majority – or being an adult – is also the minimum requirement for the conferral of the right to vote in the 1990 OSCE Copenhagen Document. The *Copenhagen Document* stipulates that the participating states shall ‘guarantee universal and equal suffrage to adult citizens’.⁶⁶

Appreciation

Relevant international standards and best practices thus establish “majority” (Venice Commission Code of Good Practice) or being an “adult citizen” (OSCE Copenhagen Document, § 7.3) as minimum threshold for the exercise of the right to vote. This implies that the right to vote must at least be conferred at the age of 18. Still, younger age requirements are permissible. States are given a broad margin of appreciation since international standards only provide for the necessary minimum rules.⁶⁷

65. Venice Commission Code of Good Practice on Electoral Matters, I.1.1.a. As regards the right to stand for elections, the Code of Good Practice allows for a higher age. A higher age may be laid down for the right to stand for election but, save where there are specific qualifying ages for certain offices (senator, head of state), this should not be more than 25. (Ibid.) See below, p. 55 for details.

66. § 7.3, OSCE Copenhagen Document, 29 June 1990.

67. The latter is evidenced in Article 1 of the Convention on the Rights of the Child which nicely reflects the interplay between international standards and domestic law when establishing that “a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.”

Indeed, especially soft law instruments focus on the necessary participation of young people in democracy. The Council of Europe has adopted a number of soft law instruments on the understanding of Article 3 of Protocol No. 1, also with regard to the participation of young people in democracy. Hence, Council of Europe *Recommendation 1019 (1985) 'Participation of young people in political and institutional life'*, after realising that the participation of young people in political and institutional life is necessary for democracy to survive, calls upon the Committee of Ministers to 'encourage wider consultation of youth representatives at national level and [...] at local and regional levels.'⁶⁸

Special standards may be derived for local (and regional) elections which are particularly open to youth participation. The Preamble of the *European Charter of Local Self-Government (1985)* recognises that the right of citizens to participate can be most directly exercised at the local level. Article 3 states that elections for such local councils or assemblies shall be done 'on the basis of direct, equal, universal suffrage [...]'.⁶⁹ While the explanatory report thereto remains silent on any further indications in this regard, *Recommendation 273 (2009) on equal access to local and regional elections* of the Congress of Local and Regional Authorities – after recalling Article 3 of the European Charter of Local Self-Government – calls upon the member states 'to assist local and regional autho-

68. § 14.d, *Council of Europe Recommendation 1019 (1985) 'Participation of young people in political and institutional life'*, <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=15053&lang=en>

69. Article 3, *European Charter of Local Self-Government*, 15 October 1985.

rities in implementing, and taking part in, awareness-raising campaigns especially addressed to young people, and in supporting local initiatives for local youth councils, in order to promote their participation in the decision making process at local level.⁷⁰ This is further elaborated in the explanatory memorandum,⁷¹ which recalls on the one hand, that there is a growing trend to ‘boost participation of youth in the political process at local level’,⁷² and on the other hand, that it is ‘crucial to increase young people’s awareness of their active and passive civic rights and specifically their rights to vote and to be eligible themselves. It is of the utmost importance for a democratic society to make young people aware of the significance of their involvement and participation in the decision-making process at local level, and of the conditions for taking part in electoral procedures. Local and regional authorities should initiate and take part in awareness campaigns especially directed at young people. They have a fundamental role to play in this respect, as they are the public authorities closest to the citizens.’⁷³ Thus, there is according support for a trend toward lowering the voting age.

70. § 5.e, *Council of Europe Recommendation 273 (2009) ‘Equal access to local and regional elections’ (Congress of Local and Regional Authorities)*.

71. *Explanatory memorandum to Council of Europe Recommendation 273 (2009) ‘Equal access to local and regional elections’*, Doc. CG/17)12.

72. § 22, *ibid.*

73. § 66, *ibid.*

Excursus: Congress' youth policy

The Congress has long sought to empower young people with its youth policy which aims especially to promote youth participation. As far back as 1993, the Revised European Charter on the Participation of Young People in Local and Regional Life was adopted as a tool for encouraging authorities at the grassroots level to involve young people fully in decision-making processes. It is widely used by young people and their organisations as a basis for negotiating their place in policy making.

In 2012, the Congress' report on "Youth and democracy: the changing face of youth political engagement" refuted the widely-held belief that young people are no longer interested in politics, voting or standing for election. They are still very much engaged, they are active in different ways in a political system which they feel does not reflect their reality. The 2015 report on "Creating a lingua franca for local and regional authorities and young people" confirms that young people and elected representatives have a different understanding of what youth participation is all about: politicians believe participation is voting in and standing for elections; young people have a much wider vision of participation, they are mobilised by specific issues linked to their concerns and interests which, in their eyes, are not dealt with by the policies being adopted by democratically elected representatives.

The Congress is trying to bridge this gap in understanding, not only by promoting the importance of youth participation in policy making but also by involving young people in its work. In 2012, the Congress called upon Council of Europe member States to strengthen young people's

political influence and participation through the offer of more citizenship rights, one of which is to lower the voting age to 16. Since October 2014, it has been inviting young people to take part in its sessions, to debate with the Congress members to have their voices heard. The success of these so-called youth sessions has led to the setting up of an ad hoc group on youth participation which is seeking ways to enable young people to take part and mainstream youth issues in the Congress' work on a more sustainable basis. The results of the group's work are expected in early 2016.

In sum, universal and regional standards and best practices establish a relatively broad framework as regards the permissible voting age. The right to political participation and more particularly the principle of universal suffrage may be subject to "reasonable restrictions" such as minimum age requirements. Still, international standards provide for minimum rules by establishing that at least adult citizens must be granted the right to vote. As regards the conferral of the right to vote at an earlier stage, including voting at 16, domestic authorities enjoy a broad margin of appreciation of how to proceed.⁷⁴ In view of the above, the question arises whether voting age should be reduced in particular in case of local (regional) elections where, given the limited scope of local self-rule, "reasonable restrictions" could – and indeed should – imply a lower voting age than in case of parliamentary elections. This is also reflected in relevant domestic practice.

74. As to the generally broad margin of appreciation of states as regards the right to political participation and relevant case law, see Binder, 2012.

DOMESTIC EXAMPLES OF LOWERING THE AGE OF VOTING

General overview

In line with the relevant international standards, the right to vote is not absolute and may be subject to reasonable restrictions including minimum age requirements.⁷⁵ As reflected in domestic practice, most of the time these are 18. In its recent worldwide comparative survey, the Inter-Parliamentary Union (IPU)⁷⁶ noted that 18 years is currently the voting age norm, adopted by some 109 states of the 150 surveyed.⁷⁷ 18 years is thus the voting age adopted by 85 per cent of all countries worldwide with a small minority of countries differing from this rule. At the international level, an adult is considered somebody who has reached an age 18 years⁷⁸; however, it is possible

75. As to permissible restrictions, with respect to parliamentary elections, most states lay down age, citizenship and residency requirements.

76. IPU, *Electoral Systems*, 4.

77. The decision to do so is based more on tradition and less on careful observation of social, economic and political realities. Demographic shifts, education, greater access to new technologies, access to information and political awareness have significantly improved decision-making among youth worldwide.

78. Article 1 of the 1989 United Nations Convention on the Rights of the Child defines a child to mean 'every human being below the age of 18 years unless, under the law applicable to the child, majority is attained earlier'.

to attain majority earlier⁷⁹ in accordance with national laws and the constitutional framework. The section below offers an overview of local/national/regional particularities according to different age categories and/or specific requirements.

Voting age below 18 at all levels (including national)

The minimum voting age at all levels is 16 in Argentina⁸⁰, Austria⁸¹, Brazil⁸², Cuba⁸³, Ecuador⁸⁴, Nicaragua⁸⁵ and the Isle

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79. Some countries set the voting age even later than 18, *e.g.*, Bahrain, Japan, Nauru and Taiwan at 20. In Taiwan, there is a current proposal to lower the minimum voting age to 18. The minimum voting age is 21 (*e.g.* Cameroon, Kuwait, Lebanon, Malaysia, Oman, Samoa, Saudi Arabia, Singapore, Solomon Islands, Tonga) in several nations, and as high as 25 in the United Arab Emirates, depending upon the Emirate.
 80. In Argentina, voting is compulsory for 18 to 70-year olds and optional for 16- and 17-year olds. *Codige Electoral Nacional* (Decreto No 2135 as amended by Ley No 26.774, 1 November 2012).
 81. Federal Law on National Council Elections, Federal Law Gazette No. 471/1992, as amended, § 21 (1).
 82. In Brazil, voting is compulsory for 18 to 70-year olds and optional for 16- and 17-year olds. *Institui o Código Eleitoral* (Article 4 of the Lei No 4.737 de 15 de Julho de 1965 in connection with Art. 14 of the Federal Constitution).
 83. Article 6 of the Ley electoral 1992 (Gazeta Oficial No. 9 de 2 de noviembre de 1992, Ley No. 72).
 84. In Ecuador, voting is compulsory for 18 to 65 year olds and optional for 16- and 17-year olds. (Article 11 of the Ley Orgánica Electoral, Código de la democracia, publicada en Registro Oficial Suplemento 578 de 27 de Abril del 2009., Oficio No. SCLF-2009-172.)
 85. Article 47 of the Constitución Política de la República de Nicaragua (as amended in February 2007).

of Man⁸⁶, Jersey⁸⁷ and Guernsey⁸⁸ (three self-governing British Crown Dependencies)⁸⁹.

Those with a national minimum age of 17 include East Timor⁹⁰, Indonesia⁹¹ and North Korea^{92,93}. In the United States, the minimum voting age is 18; however, in many states, persons of 17 years of age are permitted to vote in primary elections if they will be 18 years of age on or before the day of

86. Isle of Man Registration of Electors Act 2006 (c.12), Section 3.

87. Public Elections (Jersey) Law 2002, as revised 1 January 2014, Section 5.

88. Reform (Guernsey) Law, 1948, as amended and the Loi relative au Scrutin Secret of 1899, as amended 26 October 2011, Article 27.

89. <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=13110&lang=EN>

90. East Timor Law on the Election of the National Parliament, Law No. 6/2006 of 28 December, Article 4.

91. Law 8:2012 on Legislative Elections (Indonesia, unofficial translation by IFES).

92. Socialist Constitution of the Democratic People's Republic of Korea (adopted in December 1972, as amended in May 2012), Article 66.

93. Note that while some studies also list Sudan and South Sudan as regards a lower voting age, this does not to be the case any more. (The South Sudanese National Elections Act, April 2012, Act No. 39, Section 33, refers to 18 years as eligibility criterion. For Sudan, see the National Elections Act 2008, Section 21 which similarly refers to the age of 18 as "conditions voters must satisfy". d <http://www.cmi.no/sudan/doc/?id=1035>; see also http://www.ipu.org/parline-e/reports/2297_B.htm; <http://www.gurtong.net/LinkClick.aspx?fileticket=3nrO3e5UxPg%3D&tabid=399>.

the general election.⁹⁴ In Norway, the minimum voting age is 18 as well; however, persons 17 years of age are permitted to vote in parliamentary elections if they will be 18 years of age in the year the election is held⁹⁵.

Voting age below 18 with specific conditions

Some countries, as Bosnia and Herzegovina, Croatia, Serbia and Slovenia, seem to have lowered the voting age to 16 for young people who work and pay taxes. Hungary⁹⁶ and the Philippines have a minimum voting age of 18; however, young people who are married can vote at the age of 16.⁹⁷

Voting age below 18 in specific elections (e.g. local, regional, referenda)

Some countries have variable provisions for the minimum voting age, whereby a lower age is set for eligibility to vote in state, regional or municipal elections and or national

94. For more information, see <http://www.usa.gov/Citizen/Topics/Voting/Register.shtml>. States include Alaska, Connecticut, Hawaii, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Mississippi, Nebraska, Nevada, North Dakota, Ohio, Oregon, Virginia, Vermont, and Washington.

95. Norwegian Representation of the People Act (Act No. 57 of 28 June 2002 relating to parliamentary and local government elections), § 2-1. *Right to vote at parliamentary elections*. (as Amended by Act No. 46 of 20 June 2003 (commencement 1 July 2003 pursuant to Decree No. 715 of 20 June 2003)).

96. See OSCE/ODIHR Limited Election Observation Mission Final Report, Parliamentary Elections in Hungary, 6 April 2014, p. 10.

97. See, e.g., Hamilton 2012.

referenda on a topic considered of crucial importance, such as independence of the country.

Indeed, numerous countries provide for a reduced age of the right to vote in local (and/or regional) elections. Germany has established a minimum vote age of 16 for state elections in the states of Brandenburg, Bremen, Hamburg and Schleswig-Holstein and for municipal elections in Baden Wuerttemberg, Berlin, Brandenburg, Bremen, Hamburg, Mecklenburg-Vorpommern, Lower Saxony, North Rhine-Westphalia, Saxony-Anhalt and Schleswig-Holstein.⁹⁸ In Switzerland,⁹⁹ the vote at 16 has been set for cantonal and municipal elections in the canton of Glarus. In Malta,¹⁰⁰ a motion has been passed in Parliament to lower the voting age for local council elections (starting from 2015) to 16. In Estonia,¹⁰¹ the minimum voting age for the 2015 municipal elections was lowered to 16. Israel¹⁰² has set minimum voting age of 17 for municipal

98. For an oversight and further links to the pertinent electoral codes at the local level see <http://www.wahlrecht.de/kommunal/index.htm>.

99. For an oversight and further links to the pertinent electoral codes at the local level see <https://www.ch.ch/en/voting-rights/>.

100. <http://www.timesofmalta.com/articles/view/20131120/local/motion-in-parliament-to-lower-local-councils-voting-age-to-16.495566>

101. <https://www.riigiteataja.ee/akt/115052015001>;

102. <http://www.timesofisrael.com/how-to-vote-in-tuesdays-elections-and-why/>.

elections. In Norway,¹⁰³ at the 2011 local elections, the voting age was lowered from 18 to 16, as a trial in 21 municipalities.

In Spain,¹⁰⁴ the voting age was lowered to 16 for the non-binding 9 November 2014 Catalan Independence Referendum, but that was an exception. In the UK, the general trend is 18; nevertheless, in Scotland, 16 and 17-year olds voted for the first time in the 2014 Scottish Independence Referendum.

Current developments

Currently, the discussion to lower the voting age to 16 at the national level is ongoing in Scotland, where following the successful precedence of the independence referendum the voting age is expected to be permanently lowered to 16 in time for the Scottish government elections in 2016.¹⁰⁵ Moreover, motions and discussions to investigate the possibilities of lowering the voting age have over the last years been put forward in Finland, Denmark, Czech Republic, and Malta.¹⁰⁶ However, in a recent referendum in Luxembourg (7

103. <https://www.regjeringen.no/en/portal/election-portal/trial-of-reduced-voting-age-to-16-for-th/id581646/>; see also Bergh 2013.

104. <http://eudo-citizenship.eu/commentaries/citizenship-forum/citizenship-forum-cat/1157-independence-referendums-who-should-vote-and-who-should-be-offered-citizenship?showall=&start=5>

105. <http://www.theguardian.com/uk-news/2014/dec/15/scotland-voting-age-lowered-16-17>

106. Parliamentary Assembly, Minimum age for voting, Report, Doc. 12546, 22 March 2011, <http://assembly.coe.int/ASP/Doc/XrefViewPDF.asp?FileID=13110&Language=EN>.

June 2015)¹⁰⁷ on the question of lowering the voting age to 16, 80.87 per cent of the voters rejected the proposal.¹⁰⁸ In the UK,¹⁰⁹ the opposition Labour Party has pledged to lower the voting age to 16 if it wins the general election in time for a series of elections due in May 2016, including for London mayor and the devolved assemblies.¹¹⁰ After his recent victory, the Conservative PM Cameron, though personally opposed, agreed to vote on the issue in the Parliament.¹¹¹

Accordingly, while in general the voting age is 18 at the domestic level, an increasing number of countries provide for lower age limits in particular in case of local/regional elections.

107. <http://www.referendum.lu/De/Questions/?Id=1>.

108. <https://euobserver.com/beyond-brussels/129004>.

109. In the United Kingdom, the reduction of the voting age to 16 was first given serious consideration in December 1999, when the House of Commons considered in committee an amendment to the Representation of the People Bill. In February 2006, the report of the POWER Inquiry called for a reduction to 16 of both the voting age and the candidacy age for the House of Commons. For more details see Parliamentary Assembly, Minimum age for voting, Report, Doc. 12546, 22 March 2011, <http://assembly.coe.int/ASP/Doc/XrefViewPDF.asp?FileID=13110&Language=EN>.

110. <http://www.theguardian.com/politics/2014/jan/23/labour-voting-age-16-mayoral-elections>; <http://www.byc.org.uk/news/ed-miliband-pledges-to-extend-votes-to-16-and-17-year-olds--byc-responds.aspx>

111. <http://www.theguardian.com/politics/2015/jan/07/cameron-happy-hold-vote-lowering-voting-age-16>

Case studies – domestic level

In this section, two case studies, Austria and the Scottish referendum on independence, will be discussed in detail.¹¹² Whereas in Austria the lowering of voting age to 16 was introduced at all levels in 2007, Scotland decided to enfranchise the under 18 voters for the first time in 2014 for the referendum on independence as a trial test, with the expectation to permanently lower the voting age to 16 in time for the Scottish government elections in 2016 and with possible considerations of introducing the provision across the UK.

Austria

In 2007 Austria underwent an electoral reform and became the first member of the European Union to adopt the voting age of 16 at all levels. The initiatives for lowering the voting age in Austria have a long tradition compared to other states in the region. The voting age was reduced from 19 to 18 at all levels in 1992.¹¹³ Starting from 2000, five regions (*Bundesländer*)¹¹⁴ of Austria consequently lowered the voting age to 16 in local or regional elections. Following the 2006 election, the winning SPÖ-ÖVP coalition announced as one of its policies the reduction of the voting age to 16 in all regions

112. Also, a less detailed excursus will be made to the local elections in Norway.

113. Hofer et al. 2008; Zeglovits/Aichholzer 2014.

114. Burgenland, Carinthia, Styria and Vienna in 2003, Salzburg followed in 2005.

(*Bundesländer*) and for elections at all levels in Austria.¹¹⁵ The passage of the bill and the amendment to the Constitution raised relatively little opposition in the Lower House of the federal Parliament (*Nationalrat*), with four out of five parties explicitly supporting it.¹¹⁶ The unity of political parties and the little controversy concerning the issue seemed to have played an important role for the general acceptance of the public as well.¹¹⁷ Crucial accompanying initiatives to set the motion in life were the campaign “DemokratielInitiative” (Initiative for Democracy), launched and organised by the Ministry of Education for the 2008 federal election, many regional campaigns and activities for regional elections, and, last but not least, a reform of civic and citizenship education in schools.¹¹⁸ A number of academic studies and surveys conducted since then show, at least for the Austrian context, predominantly positive results.¹¹⁹

115. See, e.g., Hofer et al. 2008; see also <http://www.demokratiezentrum.org/en/topics/democracy-debates/elections.html>

116. Parliamentary Assembly, Minimum age for voting, Report, Doc. 12546, 22 March 2011, <http://assembly.coe.int/ASP/Doc/XrefViewPDF.asp?FileID=13110&Language=EN>.

117. A further uncontroversial inclusion was a reduction in the candidacy age from 19 to 18, with no party voting against it.

118. Zeglovits/Aichholzer 2014; Schwarzer/Zeglovits 2013.

119. Despite these positive trends, some caution is required. Firstly, the increased interest and high voter turnout are not distributed equally among all young people, and education and social status do matter. The findings have also demonstrated that although civic awareness education has been introduced, schools can only partly reduce education gaps. Further challenges include how to reach and address the less educated and less integrated

Firstly, the findings¹²⁰ show that

- young people are interested and do turn out in about the same amount as older people, so there is an overall positive impact on the representation of the electorate
- young people want to be taken seriously and have their interests represented
- accompanying campaigns and political awareness activities are needed and increase interest of young people in political issues.

To summarise, results from Austria show that the turnout of 16- and 17-year olds is in fact higher than the turnout of older first time voters, and it is nearly as high as the overall turnout.¹²¹ Moreover, although teenage voters are still less interested than adult voters, they are able to make an informed choice. The congruence between attitudes and the vote choice of teenage voters is comparable to adult voters. Austrian teenage voters seem to be mature enough to participate and to make a meaningful vote choice. In sum, evidence from Austria

and how to reach and address those not enrolled in schools and thus not benefiting from the civic awareness programme. While too much attention is being put on 16 to 18-year olds, the 18 to 25-year olds cannot be forgotten as targets of various campaign initiatives, as the difference in level of political maturity between 16-18 and 18-year olds is minimal. The challenge for politicians remains how to close the gap between themselves and young people and motivate them to participate in public affairs.

120. Zeglovits/Kritzinger 2013; Zeglovits/Zandonella 2013; Zeglovits/Aichholzer 2014; Wagner et al. 2012.

121. See, e.g., Wagner et al. 2012; Zeglovits/Zandonella 2013 et al.

encourages the supporters of the lowering of the voting age. Future elections will show if this is just a novelty effect or if the trends will be stable in the long run.

b. Scotland – 2014 Referendum

The Scottish referendum on independence in 2014 was historic for a number of reasons, one of which was the expansion of the franchise to include 16- and 17-year olds for the first time. The lowering of the voting age led to high levels of enthusiasm among Scottish teenagers as shown by the figures. The turnout of 84.6% was the highest recorded for an election or referendum in the UK since the introduction of universal suffrage. 109,593 of under-18s registered and 75% claimed to have voted.¹²² Importantly, 97% of those 16-17-year olds who reported having voted said that they would vote again in future elections and referendums.¹²³ Scottish newspapers¹²⁴ hailed the young people and wrote that the fact that they voted in such large numbers was a victory in itself, regardless of the final outcome. Politicians¹²⁵ in favour of lowering the voting age argued that the referendum serves as a proof that the voting age should be lowered to 16 across the UK. There

122. In the 2010 general election, only 56% of 18 to 24-year olds registered to vote, and a mere 44% went to the polling stations. Compare that with the 76% of those over 65 who voted.

123. Electoral Commission 2014.

124. See, e.g., <http://www.independent.co.uk/news/uk/scottish-independence/scottish-referendum-results-huge-turnout-bolsters-case-for-voting-at-16-9745081.html>

125. See, e.g., <http://www.theguardian.com/uk-news/2014/dec/15/scotland-voting-age-lowered-16-17>

were no reports of defaced ballot papers or inappropriate behaviour at polling stations. Despite the positive experience, the high turnout and the level of political maturity young voters showed, challenges remain for all parties involved. The challenge for young voters is to avoid possible misuse by political parties for the latter cause.¹²⁶ The challenge for political parties is to keep young voters engaged and enthused for future participation in political processes, which are less appealing than a referendum on independence.

In the aftermath of the national referendum, the Electoral Commission of Scotland published a comprehensive report on its conduct including recommendations.¹²⁷ An important lesson from the Scottish experience is that when lowering the voting age to 16, sufficient time well in advance (at least six months) should be given:

126. The 16- and 17-year olds were, by a wide margin, the most prominent pro-independence age group, with 71 per cent voting for Yes, and 29 per cent voting for No. In the UK, the Labour Party, Scottish Greens and the Liberal Democrats were in favour of lowering the voting age, but the Conservative Party has historically been opposed.

127. With respect to the franchise of 16- and 17-year olds, the Electoral Commission recommends that, "when any policy maker or legislator is considering future legislation for referendums or elections with a franchise including 16 and 17 year olds, they consider the need to ensure legislation concerning the extension of the franchise is commenced six months prior to the beginning of the canvass in order to allow administrators to plan for the canvass and public awareness activities, including political literacy initiatives". (EC 2014: 40).

- for EMB (Election Management Body) or administrators to do all targeted activities to register first time voters;¹²⁸
- for campaigners and political parties to engage with voters under 18;
- for the public administration and civil society initiatives to develop a public awareness strategy and political literacy initiatives, both at the local and at the national level.

To conclude, the Scottish case study shows that for young people, when they perceive an issue to be important enough and they are inspired by it, they will both participate in the political debate and cast their vote on the polling day. Of biggest importance when introducing the vote at 16 for the first time are the timely provisions at all levels, including legislation, organizational capacity of the EMB and conduct of civic and voter education activities. If these conditions are fulfilled, it is recommendable to consider lowering of the voting age to 16.

c. Norway

Slightly different findings seem to have been made in Norway. As stated, in Norway,¹²⁹ at the 2011 local elections, the voting

128. In Scotland, the provisions, which allowed for the compiling of the Register of Young Voters, were not commenced until two months before the start of the canvass of 16- and 17-year olds, which was considerably late.

129. <https://www.regjeringen.no/en/portal/election-portal/trial-of-reduced-voting-age-to-16-for-th/id581646/>; see also Bergh 2013.

age was lowered from 18 to 16, as a trial in 21 municipalities.¹³⁰ 58 per cent of the enfranchised 16- and 17-year olds voted.¹³¹ Two factors were stated to explain the high turnout. First, 16- and 17-year olds are more easily mobilised than their slightly older peers. They still go to school, live at home, and have not moved out of their local community. Second, the selected municipalities made considerable efforts to mobilise their young voters – this was also a prestige project. A stated purpose of the trial was to increase the political interest and engagement among the participating 16- and 17- year olds, but research indicates that there was no such effect. The Norwegian case thus shows the multifaceted nature of the reduction of voting age.

ISSUES RELATED TO THE LOWERING OF VOTING AGE

The discussion on voting age cannot be dissociated from certain adjacent issues. These include the gradual reduction

130. A similar trial, in ten new municipalities, will be conducted at the 2015 local elections in September, see <https://www.regjeringen.no/en/portal/election-portal/right-to-vote-and-the-electoral-register/about-the-right-to-vote-and-the-electoral/id457098/>.

131. This was somewhat lower than the overall turnout level of 63 per cent in these municipalities, but much higher than the turnout among regular first-time voters (aged 18–21), which was 46 per cent. <https://www.regjeringen.no/en/aktuelt/higher-turnout-among-first-time-voters/id670637/>.

of the age requirements for candidates¹³² /the exercise of the right to stand for elections and civil and political education in schools.

Candidacy rights

Candidacy age is the minimum age at which a person can legally qualify to hold certain elected government offices. The debate is guided by arguments similar to those for lowering the voting age. Also, a similar trend towards a reduction of age requirements can be perceived as in the case of voting age.¹³³

Still, evident differences exist as regards age requirements concerning the right to vote and stand for elections. Similar to voting rights, restrictions on candidacy should be as limited as possible and everyone who has the right to vote should have the additional right to stand for office. At the same time, considering the responsibilities one takes when entering the public office, the qualifications of candidates may be more testing than those of ordinary voters. A greater degree of maturity is required to act as a political representative than to elect such a representative. Therefore, a reasonable period of

132. See respectively for further reference, Parliamentary Assembly, Minimum age for voting, Report, Doc. 12546, 22 March 2011, . <http://assembly.coe.int/ASP/Doc/XrefViewPDF.asp?FileID=13110&Language=EN>, para. 47.

133. See for further reference the Council of Europe Congress of Local and Regional Authorities, Criteria for standing in local and regional elections, CG/2015(28)7FINAL, 26 March 2015, para 13, which affirms that the majority of Council of Europe member States (35 out of 47) fix the age of candidacy at 18.

time should be allowed to pass between the right to vote and the right to be a candidate.¹³⁴

This is also reflected in international standards and best practices. Permissible age requirements for the right to stand for elections are generally higher than for the right to vote. General Comment No. 25¹³⁵ to Article 25 ICCPR (Right to political participation) specifies: "...it may be reasonable to require a higher age for election or appointment to particular offices than for exercising the right to vote, which should be available to every adult citizen". According to the *Venice Commission Code of Good Practice*¹³⁶, the right to stand for election should preferably be acquired at the same age as the right to vote and in any case not later than the age of 25, except where there are specific qualifying ages for certain offices (e.g. member of the Upper House of Parliament, Head of State).

Also, the case law by the European Court of Human Rights confirms this with regard to its interpretation of Article 3 of Protocol No. 1, which also implies the individual right to stand for election. However, states are allowed a wide margin of appreciation to impose limitations in this regard. Moreover,

134. See also *Council of Europe Recommendation 1315 (1997), 'Minimum age for voting'*, <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=15349&lang=en>.

135. *General Comment No. 25: The right to participate in public affairs, voting rights and the right of equal access to public service (Art. 25)*, UN Doc. CCPR/C/21/Rev.1/Add.7, 12 July 1996.

136. Venice Commission, *Code of Good Practice in Electoral Matters*, Opinion No. 190/2002, 23 May 2003, [http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2002\)023rev-e](http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2002)023rev-e).

as recognized in *Melnychenko v. Ukraine*, 'stricter requirements may be imposed on the eligibility to stand for election to parliament, as distinguished from voting eligibility [...]'.¹³⁷ Thus, in *W., X., Y. and Z. v. Belgium*¹³⁸, the Commission did not see the age limits in Belgium to stand for election (25 for the House of Representatives, 40 for the Senate) as arbitrary.

While the minimum age to stand as a candidate is established by national law and varies considerably from country to country (and from election to election), it is frequently higher than the age of the right to vote.¹³⁹ Still, in countries like Denmark¹⁴⁰, the Netherlands¹⁴¹ and Norway¹⁴², any adult 18 years

137. § 57, *Melnychenko v. Ukraine*, App. No. 17707/02, 19 October 2004.

138. *W., X., Y. and Z. v. Belgium*, App. No. 6746/74, 20 May 1975 (Commission).

139. See however the Congress of Local and Regional Authorities, Criteria for standing in local and regional elections, CG/2015(28)7FINAL, 26 March 2015, para 13, which affirms that the majority of Council of Europe member states (35 out of 47) fix the age of candidacy for local and regional elections at 18. Conversely, a distinction in the exercise of voting and candidacy rights at local and regional level is made in Lithuania (eligibility fixed at 20 years), Armenia, Azerbaijan, Cyprus, Monaco, the Russian Federation (21), Romania (23) and Turkey (25). (*Ibid*, para 14).

140. Folketing (Parliamentary) Election Act, Act No. 271 of 13 May 1987, as amended 10 April 1991: General Elections and Referendums. Part 1 Franchise and Eligibility, Sections 1(1) and 4(1).

141. Constitution of the Kingdom of the Netherlands, 2008, Article 56; Act of 28 September 1989 (Elections Act), as amended by Act of 29 October 2009, Section B 1. 1.

142. Constitution of the Kingdom of Norway, 17 May 1814, as amended 18 June 1992, Article 50 (and Article 61).

of age or older can become a candidate and be elected in any public election. In other countries, the candidacy age differs depending on the type of elections. In Austria, a person must be 18 years of age or older to stand in elections to the European Parliament or National Council.¹⁴³ In presidential elections, the candidacy age is 35.¹⁴⁴ In Estonia, the minimum age to be elected in local elections is 18, and in parliamentary elections 21.¹⁴⁵ The minimum age in presidential elections is 40.^{146 147}

Generally, local and regional elections appear as a particular good case for lowering the age to stand for elections. This for similar reasons as are the reasons for lowering voting age.¹⁴⁸ Still prevailing practice in member states remains with

143. Federal Law on National Council Elections, Federal Law Gazette No. 471/1992, as amended, Section 1, § 41 (1); Europawahlordnung, BGBl Nr 117/1996, idgF, Wählbarkeit § 29.

144. Bundespräsidentenwahlgesetz, BGBl Nr 57/1971, idgF, § 6.

145. Regarding local elections see Local Government Council Election Act, 27 March 2002, as amended, § 5. Right to vote and to stand as candidate, (1 and 5). Regarding parliamentary elections, see Constitution of the Republic of Estonia, 28 June 1992, § 60.

146. President of the Republic Election Act, passed 10 April 1996, as amended 1 April 2013, § 2.

147. See also Council of Europe Congress of Local and Regional Authorities, Criteria for standing in local and regional elections, CG/2015(28)7FINAL, 26 March 2015, para 15, for differences in local and regional elections. It notes that, quite frequently, the age for performing the functions of a local executive body is higher than for membership of a local assembly.

148. See above Section p. 27.

the age of 18 or even older.¹⁴⁹ In line with this, the Congress' Report "Criteria for standing in local and regional elections" as adopted at the 28th Session in March 2015 recommended rather conservatively that "governments of member States should...review their domestic legislation with regard to local and regional elections, in order to ensure that: the minimum age at which a person may stand for election to any elected office at local and regional levels be no greater than 18 years in all member states..."¹⁵⁰

Still, there are general trends towards a reduction of the right to stand for elections in some countries.¹⁵¹ The age of candidacy was reduced from 21 to 18 in England, Wales and Scotland on 1 January 2007¹⁵². Also, a referendum on reducing the age of candidates for presidential elections from 35 to 21 years old was held in Ireland on 22 May 2015¹⁵³. Currently, the eligibility age in Ireland is 35 for the Office of the President¹⁵⁴, 21 for the Houses of the Oireachtas and for

149. CoE, Congress for Local and Regional Authorities, Criteria for standing in local and regional elections, 26 March 2015, CG/2015(28)7FINAL, 8.

150. *Ibid*, 4.

151. This trend is followed by many European countries such as France, Germany or Italy.

152. The Electoral Administration Act 2006, available at http://www.legislation.gov.uk/ukpga/2006/22/pdfs/ukpga_20060022_en.pdf.

153. The Thirty-fifth Amendment of the Constitution (Age of Eligibility for Election to the Office of President) Bill 2015 (bill no. 6 of 2015).

154. <http://archive.constitution.ie/reports/crg.pdf#page=23>.

the European Parliamentary elections, and 18 for the local elections. While a lowering of voting age was not accepted – 73,1 %¹⁵⁵ (1.412.000) of the voters who participated¹⁵⁶ in the referendum voted NO, as opposed to 26.9 % (or 520.000) who were in favour of lowering the candidacy age¹⁵⁷ – also the Irish referendum indicates the general trend towards a reduction of voting age.¹⁵⁸

Accordingly, also as regards the minimum age for candidacy, a similar trend can be observed as with respect to the right to vote. Although it remains generally higher, there is a general trend towards reduction of these age requirements.

Civic education and political education in schools as adjacent tools

The issue of the voting age also intersects with broader normative and empirical approaches to youth civic and political education and engagement. Detailed and thought-provoking political and civic education at school allowing for debates on

155. <http://www.referendum.ie/results.php?ref=11>.

156. The turnout was 60.51 %.

157. The figures were approximately the same in all the 43 constituencies, except in some constituencies in Dublin (65% voting no and 35% voting yes).

158. See also M. Byrne, Opinion: Let's grow our democracy, let's lower the voting age to 16, 2015, <http://www.thejournal.ie/readme/lower-voting-age-ireland-1861928-Jan2015/>, for further reference on the Irish referendum.

key political issues is an absolute requirement in this regard.¹⁵⁹ The question is to concentrate on giving young people better preparation for exercising their civil rights, which seems important in the debate on the reduction of voting age.

It is recognised that it would be most efficient to include a practical element in learning about democracy, both at a formal and non-formal level. It is also deemed essential to make political education compulsory at a young age (12-16) which is the only time when all young people – even those coming from the most excluded backgrounds – are still in the school system.¹⁶⁰

Franklin's (2004) main argument in the debate on youth suffrage is that one can expect higher levels of turnout among voters younger than 18 years as they are strongly embedded in schools and thus learn to vote in a more sheltered environment. Also, life is still seen as more "simple" and people are not yet that preoccupied positioning themselves in new social realities. In particular, school attendance is seen as an important factor in providing a stable social environment and relevant information. It offers a variety of socialisation mechanisms and is, in general, the basis for political participation.¹⁶¹ Schools can thus constitute a model for democratic

159. <http://blogs.lse.ac.uk/politicsandpolicy/lower-the-voting-age-to-16-yes-please-but-only-if-accompanied-by-civic-and-democratic-education-and-a-commitment-to-take-young-peoples-concerns-seriously/>.

160. http://www.dr-chill.webspace.virginmedia.com/publications/2013_Youth_Participation.pdf

161. See also Highton/Wolfinger 2001.

participation if students are involved in the decision-making process.¹⁶² Conducted survey results suggest that young people would overwhelmingly welcome the generalisation of voting advice applications as well as the organisation of electoral debates in schools at election time.¹⁶³

What is more, in view of the assumption that children from educated parents have a comparative advantage and engage in more informed electoral choices, compulsory political education in schools may be an essential means to level the playing field for children with different social backgrounds. Thus, necessary civic education projects seem crucial adjacent instruments accompanying any reduction of voting age.

This is also confirmed in relevant international instruments. In 2010, the member states of the European Union adopted the Council of Europe's Charter on Education for Democratic Citizenship and Human Rights Education.¹⁶⁴ The need for participation of young people in civic life, through education and the promotion of community involvement is stressed in draft resolutions on lowering the voting age of the Council of Europe.¹⁶⁵

162. Parliamentary Assembly, Minimum age for voting, Report, Doc. 12546, 22 March 2011, <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=13110&lang=EN>

163. http://www.dr-chill.webspace.virginmedia.com/publications/2013_Youth_Participation.pdf.

164. EURYDICE 2012.

165. See, e.g., *Council of Europe Recommendation 1019 (1985) 'Participation of young people in political and institutional life'*, <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=15053&lang=en>; *Council of Europe Recommendation*

Experiences and findings generated from studies around Europe¹⁶⁶ show that:

- citizenship education must make a compulsory part of the national curricula, either as a stand-alone subject, as part of another subject or learning area, or as a cross-curricular dimension;
- it is recommendable that both student and parents should widely participate in school governance and informal and extra-curricular activities;
- students and pupils should have a possibility to get engaged in a wide range of programmes and structures that provide practical experience of citizenship outside of schools.¹⁶⁷

However, new and innovative ways to (re-)integrate youth into civic education and political processes must be proposed, as the question arises how appealing the traditional forms of citizenship or civic education are.¹⁶⁸ Possible measures could involve the inclusion of new technologies, such as social media. Further, a constant improvement in the education and

1315 (1997), 'Minimum age for voting', <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=15349&lang=en>; Parliamentary Assembly, Minimum age for voting, Report, Doc. 12546, 22 March 2011, <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=13110&lang=EN>.

166. For details see EURYDICE 2012.

167. These could include, e.g., working with the local community, discovering and experiencing democratic participation in society and addressing topical issues such as environmental protection, and cooperation between generations and nations.

168. See, e.g., Harris/Wyn 2009; Martin 2012.

continuing professional development of teachers and school heads is required. Assessment and appropriate evaluation tools and instruments as an integral part of teaching and learning need to be devised to ensure that citizenship education, like other subject areas, is adequately assessed.

CONCLUSIONS

All in all, ensuring that young people can vote at 16 seems to be a useful tool to generate interest and a greater awareness of politics at an earlier age. Political awareness at a younger age may lead to more political involvement and greater connectivity between young people involved in a variety of forums such as student councils and union activism. Such civic, social and political engagement is an integral part of an individual's personal and social development.

Respectively, the most reasonable option is to aspire at reaching a harmonisation of the right to vote at 16. Given the wide margin of appreciation of states, this can only be done on a voluntary basis. While there is a general trend towards the reduction of voting age in all elections,¹⁶⁹ local and regional elections can be a good initial step of this reduction.

169. See also relevant Council of Europe recommendations: There should be a trend towards the harmonization of voting age in all countries and for all elections, on a voluntary basis, and at the same time examine the minimum ages to stand for different elections (local and regional bodies, parliament, senate, presidency), with a view to lowering them whenever advisable, See Parliamentary Assembly, Minimum age for voting, Report,

Despite the fact that lowering the voting age is not the only measure to enhance active citizenship amongst youth and fostering youth participation is a much wider task and mission, - still, voting at 16 is one of the measures to activate young people – the “tip of an iceberg” of active participation, notably at local and regional level.

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Resolution 387 (2015)

Voting at 16

Consequences on youth participation
at local and regional level

Debated and adopted on 20 October 2015

1. Enhancing active political participation is a topical issue at this moment, particularly with regard to motivation and inclusion of young people in political decision-making processes. Elections have been broadly recognised as a main “transmission-belt” for citizens’ political participation. Against the background of socio-political developments over the last decades and growing disenchantment with politics, lowering of the voting age has become an issue of public interest. This reflects, in principle, a desire to expand the recognition of citizen authority and strengthen political inclusion and participation as basic principles of representative democracy.

2. While most countries have set the minimum voting age at 18, demographic shifts, education, greater access to information, notably through new technologies, and increased political awareness have significantly improved the decision-making capacities of young people and their ability to make an informed choice. Since the voting age delineates the starting point of a person’s participation in democratic decision making and voting is recognised as a fundamental human right, despite resistance, a general trend seems to point to the lowering of the voting age to 16 years.

3. In addition, it is believed that lowering the voting age to 16 might have a positive effect on election turnout in the long run, as young people are given an opportunity to exercise their civic rights at an early age which may generate interest also in the broader sense of civic, social and political engagement as an integral part of an individual’s personal and social development.

4. Furthermore, decisions at the grassroots' level cover a concrete scope of matters which are close to citizens and thus more easily comprehensible. Therefore, local and regional elections seem to be a particularly good "test-case" and initial step for a reduction of the voting age to 16. This has been also confirmed by the domestic practice of several Council of Europe member countries which lowered voting age only for local and/or regional elections.

5. In the light of the above, the Congress welcomes the development in member states and regions with legislative powers regarding the lowering of the voting age to 16 at the territorial level which is considered as conducive to the engagement and inclusion of young people at an early age, to the broadening of electoral representation and the legitimacy of those elected and the political mandates stemming therefrom.

6. Against the background of its ongoing activities and strategy to foster youth participation at the local and regional level, the Congress:

a. calls on its committees to assess the practice and developments of age requirements in grassroots' elections and promote the issue of lowering the voting age to 16 in local and regional elections in the framework of its priority action to ensure the engagement and inclusion of young people ;

b. asks the appropriate committee to undertake steps in view of a report and recommendation inviting Council of Europe member states to further harmonise the age for the right to vote, more specifically, to use local and regional elections as a

“starting point” and “test case” for the lowering of the voting age to 16;

c. requests the appropriate committee to prepare a report and recommendation to Council of Europe member States on the situation of civic education and compulsory political education at school in member States as adjacent tools to the introduction of voting at 16;

d. encourages local and regional authorities, notably regions with legislative powers, to pursue strategies to expand democracy at the grassroots’ level by lowering the voting age to 16 in respective elections, in countries with a higher minimum age;

e. invites local and regional self-government associations in Council of Europe member States to engage in awareness-raising campaigns for the encouragement of active participation of young people through the lowering of the voting age to 16 at the local and regional level.

The Congress of Local and Regional Authorities of the Council of Europe, firmly believing that elections are the main “transmission belt” for citizens’ political participation and that local and regional ballots offer an ideal opportunity to experiment with lowering the voting age to 16, has adopted a report aimed at promoting a reduction in the minimum voting age in such elections.

The Congress report sets out the issues at stake in the debate here based on a comparative analysis of current practices regarding voting rights at local and regional level in the various Council of Europe member states.

The report also highlights several related issues, including gradually lowering the age requirement to stand for election and systematically providing civic and political education in schools.

The “Democratic Elections” series presents reports adopted by the Congress on recurring and transversal issues relating to local and regional elections.

The Council of Europe is the continent’s leading human rights organisation. It comprises 46 member States, including all members of the European Union. The Congress of Local and Regional Authorities is an institution of the Council of Europe, responsible for strengthening local and regional democracy in its 46 member states. Composed of two chambers – the Chamber of Local Authorities and the Chamber of Regions – and three committees, it brings together 612 elected officials representing more than 130 000 local and regional authorities.