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their profitability and competitiveness—but only if they remain

Commission.
The Hill Times

Canadians abroad have a right to vote too

Bill C-33 should pass as is, removing the arbitrary voting limit for those abroad five years or more.



Gillian Frank, Shaun O'Brien

Elections

Bill C-33 recognizes the right to vote of Canadians living outside the country by removing the arbitrary limit for those abroad five years or more.

Contrary to the views in the recent *Hill Times* article “Canadian expats shouldn’t have unlimited voting rights,” by Andrew Griffith and Robert Vineberg, Canadians should view our citizens abroad as assets and ambassadors for our country,

whose charter-enshrined right to vote must be protected.

The connections of and commitments to Canada of citizens living abroad should not be understated. In examining the right to vote of Canadians abroad, advocates have not used “a general estimate of over one million expatriates, without any assessment of the degree of connection that expatriates have with Canada.”

Rather, we have relied on comprehensive research by an independent think-tank (the Asia Pacific Foundation), which found that at the time of study, there were approximately 2.8 million Canadians abroad, the size of an average Canadian province. Approximately half of these Canadians have been abroad for five years or more and are of voting age, though some were not prohibited from voting by the five-year rule because of a number of exceptions to the prohibition.

Still, well over a million Canadians were prohibited from voting. There is no dispute that not all Canadians abroad will take up the right to vote. The evidence, though, is that many Canadians abroad have strong ties to and care deeply about Canada. Of Canadians abroad surveyed by the Asia Pacific Foundation, two-thirds had left Canada for

work-related reasons, 94 per cent had visited Canada since moving abroad and 69 per cent planned to return to Canada in the near future. More than 60 per cent identified more closely with Canada than with their country of residence. Most were born in Canada and solely Canadian citizens. They currently have no right to vote anywhere.

Many non-residents pay taxes to Canada, including property taxes, taxes on Canadian source investment income and taxes on their pensions, among others. In 2009, non-resident individuals paid almost \$900-million in taxes to Canada. That said, Canada long ago discarded the exclusionary notion of tying voting to property or wealth.

It also is not correct to say that Canadian citizens living abroad are not subject to or affected by Canadian laws. As a starting point, their very right to be abroad, on their Canadian passport, and their ability to obtain employment in another country, is based on Canadian laws and multilateral agreements (e.g. NAFTA). They are further affected by laws governing family members living in Canada. Importantly for the many who intend to return in the near future, they are affected by the short- and long-term direction the country is taking.

What is missing from an analysis that lays out a host of options for deciding which Canadians will be allowed to vote (those abroad for the first 10 years, those with a minimum residency requirement of three years or 25 years) is the critical point: the right to vote is not a matter of policy and it is not subject to popular sentiment. Rather, the right to vote is a fundamental democratic right enshrined in our Charter of Rights and Freedoms. Our charter guarantees that, “every citizen of Canada has the right to vote in an election of members of the House of Commons...” The right to vote is the cornerstone of our democracy and cannot be taken away at the whim of Parliament.

When Parliament tried to limit the right to vote for prisoners, the Supreme Court of Canada struck down the limits as breaching the charter right. If we protect the right to vote of individuals convicted of the most heinous crimes, why would we disenfranchise citizens who are passionate about Canada, many of whom are abroad for employment reasons and intend to return? If Canadians abroad make the effort to vote from abroad, they care deeply about this country. These are Canadians we should embrace, not reject.

There is simply no air of reality to Griffith and Vineberg’s unsupported claim that restoring voting rights to Canadians abroad can or will devalue the voting rights for resident Canadians. When it comes to the sacred voting rights of all Canadians, alarmist policy proposals, which are little more than flawed solutions chasing imaginary problems, do not deserve serious consideration.

Bill C-33 should pass in its current form. It is drafted to recognize the right to vote of all Canadian citizens. Indeed, the government should take a further step and discontinue its opposition to the legal challenge to the five-year prohibition. Canadians abroad are entitled to a legal acknowledgment that all Canadian citizens are guaranteed the right to vote and are not at the mercy of each new government’s legislative choices.

Shaun O'Brien is a partner at Cavalluzzo LLP and the lead counsel in the constitutional challenge to the five-year limitation on voting, Frank et al. v. Attorney General (Canada) (currently adjourned at the Supreme Court of Canada); Gillian Frank is one of the applicants in the case and a visiting fellow at Princeton University's Center for the Study of Religion.

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