

Britain has taken away my right to vote (and I want it back)

by rpinto_anglodeutsch - Tuesday, April 28, 2015

<http://anglodeutsch.eu/the-uk-has-taken-away-my-right-to-vote-and-i-want-it-back/>

With the British General Election due on 07 May 2015, I tried to register to vote as a Brit living in Germany. Imagine my shock at discovering that not only has my right to vote been taken away from me, but I will never again be entitled to vote in any future British election. Britain has just withdrawn my fundamental democratic right without a warning or right to appeal against it.

Gobsmacked? Join the club, because so am I. In what is supposed to be one of the oldest parliamentary democracies, Parliament has withdrawn what I always believed to be one of my most fundamental rights for the rest of my life.

You are perhaps thinking that I must have done something to have lost my democratic rights. I have lost my right to vote because Parliament has determined that I have lived too long away from the UK. This is otherwise known as the "15 Year Rule" whereby British citizens automatically lose their democratic right to vote in British elections; they simply fall into the grey Zone that I now find myself in. By virtue of being in a European Union country, I am at least eligible to vote in German local, regional and European elections, but not their national elections, since I am not a German citizen. As of today, I know that I shall never again be able to vote in any election in Britain unless I return to the UK, when my rights would be restored.

So it is worth asking why is this the case? Is there something logical and reasonable about the 15 Year Rule or is it an arbitrary decision taken by Parliament which deprives people of their democratic right to vote?

The main rationale for the 15 Year Rule appears to be to limit the vote to only those who are affected by decisions made in Westminster or who have retained ties with the UK. If so, there are serious problems with this line of argument.

Is this a throwback to a long gone colonial era where people migrated to some distant land, lost complete touch with their country of origin and never returned to the UK? If so, Parliament is woefully out of touch with the world of today.

Who is to say that I am no longer affected by the decisions made by Parliament? For example, I have and continue to contribute to the UK State Pension and the decisions made by Parliament will certainly affect me until the day I die. Secondly who is to say that I have now lost my ties with the UK? My parents, my brother and my oldest and closest friends live in the UK. With globalisation, cheaper international travel and the ICT revolution, they are ever more accessible to me than ever before, even though I may not be physically in the UK. I believe I am at least as well informed and in touch with social, political and economic developments in the UK than the average voter, so why should I be penalised in this arbitrary manner? Does living across the Channel in "Europe" automatically mean that I have lost touch with Britain after a predetermined period of time? And who can decide whether the cut-off point should be 1,

5, 15, 25, 50 years or the day I die?

I do not accept at all that a 15 Year Rule or indeed any other time or other restriction should apply, especially in today's day and age where the internet and international travel have shrunk space while increasing accessibility to almost everything. It is not only the apparently arbitrary nature of the rule that I object to; it also appears to be punitive and anti-democratic to force people like me into a grey zone where I shall never again be eligible to vote in any future British election unless I return to the UK.

The supposition that my links, connections and interests to and in the UK are somehow automatically lost after 15 years spent abroad is neither logical nor defensible. It amounts to little more than a hypothesis which cannot be proven, except at the individual level. It is equally arbitrary to automatically return all my democratic rights if and when I choose to return to the UK. I could then immediately leave again and be eligible to vote for another 15 years and keep doing the same thing over and over again. But why should I resort to doing this?

On the other hand, Article 25 of the [UN International Covenant on Civil and Political Rights](#) states that: "Every citizen shall have the right and the opportunity, ... without unreasonable restrictions: (a) to take part in the conduct of public affairs, directly or through freely chosen representatives; (b) to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors." The 15 Year rule would appear to amount to an "unreasonable restriction" and thus to contravene this Covenant, which Britain has signed and ratified.

The situation becomes even more interesting when one examines the data on overseas voters. Firstly, the problem is very well-known to government (see "[Voter engagement in the UK, Fourth Report of Session 2014–15](#)", 2014). Secondly, a mere 15,818 such overseas voters are actually registered to vote, which is remarkably few. Thirdly and most interestingly, there are actually a staggering 4.7 - 5.5 million potential overseas voters, only 1% of whom are currently registered to vote in the UK. The total number of eligible electors in 2014 was 45 million, so about 5 million amounts to potentially over 10% of the electorate. It is not known how many of the 99% are, like me, artificially debarred from voting by the 15 Year Rule, but it must be a significant number.

The current situation is an anti-democratic disgrace. The House of Commons report "[Voter engagement in the UK, Fourth Report of Session 2014–15](#)" stressed that something had to be done about overseas voters by the 2015 General Election:

"Although British citizens are only entitled to register to vote for UK elections if they were resident in the UK in the previous 15 years, it is clear that only a very small percentage of those who are likely to be eligible to register to vote are actually on the electoral register. It is not acceptable that such a small proportion of this franchise is registered to vote" (Paragraph 90)

However, it failed to make a recommendation about the 15 Year Rule itself. As far as I can see, the Government has simply ignored both issues. It is interesting to note that Germany used to have a 25 Year Rule, which was a much longer period of time than the current UK rule. However, the exclusion from the right to vote of German citizens residing outside the Member States of the Council of Europe who had departed from the Federal Republic of Germany more than 25 years previously was deleted in 2008, and

with good reason.

With about 5 million votes at stake, many of which are affected by the 15 Year Rule, it is more than clear that it must be replaced by something logical, proportionate and democratic. At the very least, British citizens living in EU countries should be excluded from the 15 Year Rule. This would be a very partial improvement. The whole thing must be scrapped for all overseas voters.

Perhaps starting an ePetition after the General Election is over would be the way forward.

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