

# The Southern Cross Group

Promoting mobility in the global community



## MEDIA RELEASE

### Australians Overseas Only Half Citizens

With almost a million Australians living overseas, just about every Australian at home has a family member, friend or acquaintance outside the country. But few at home would realise that hundreds of thousands of their overseas compatriots are being denied their right to vote as Australian citizens.

The Southern Cross Group (SCG) [www.southern-cross-group.org](http://www.southern-cross-group.org) expressed its disappointment today on recommended changes to Australia's overseas voting rules in a Report tabled in Federal Parliament on Monday.

The SCG views the recommendations as token. Even if they eventually become law, hundreds of thousands will remain disenfranchised.

Speaking from Brussels, SCG Co-founder and lawyer Anne MacGregor said that the Report tabled in Canberra on 23 June 2003 by the Joint Standing Committee on Electoral Matters (JSCEM) essentially ignores a major fundamental rights issue facing Australia today in a globalising world.

She said, "Australia's current legislation on electoral enrolment for overseas Australians effectively operates to disenfranchise a significant number of Australian citizens. The right to vote is a fundamental right attached to citizenship. We believe that provisions in the *Commonwealth Electoral Act 1918* may be in breach of Australia's obligations under the International Covenant on Civil and Political Rights."

Despite the fact that JSCEM chairman Petro Georgiou has made much of the fact that this is the "first unanimous post-election report the committee has produced in 13 years", the SCG questions whether Democrat JSCEM members Senators Andrew Bartlett and Andrew Murray stand behind the limited recommendations which would still leave so many disenfranchised. Their supplementary remarks at the back of the report are clearly inconsistent when they state that "all citizens of Australia should be entitled to vote. It is a right that attaches to citizenship of this country, and should not be removed."

Statistics available to the Southern Cross Group indicate that there are in the order of 645,000 Australian citizens living overseas aged 18 or over. But only 63,036 votes were issued overseas for the November 2001 election.

Voting for Australians outside Australia is not compulsory. While many expatriates have no desire to vote from afar, a significant number have contacted the SCG expressing their disgruntlement with the fact that they want to vote, but can't.

A recent survey of 2,000 expats indicates that 79.3% of those away feel that Australia remains their home, and 79.6% were of the view that their presence overseas benefits Australia.

The disenfranchisement problem lies in the fact that in order to vote, a person must be on the electoral roll. It's easy to be wiped off the electoral roll if the Australian Electoral Commission (AEC) believes you are no longer at the address for which you are enrolled.

To stay on the roll while overseas, expats going away for more than a short period can apply for Eligible Overseas Elector (EOE) status, but they may only do this within two years of

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leaving Australia. Even though voting from overseas is not compulsory, if an EOE doesn't vote in one election, they will be subsequently wiped off the roll.

If expats are not on the electoral roll, then enrolment from overseas is possible, but again, only within two years of leaving Australia.

The JSCEM recommends changing these two year cut-off points to three years. That will help those who have recently departed or leave in the future, but it won't allow hundreds of thousands of expats who left more than three years ago (if the changes become law) to re-enrol if they've been wiped off. They will remain disenfranchised.

Angela Ryan, SCG representative and lawyer in Melbourne, said that the JSCEM received some 90 submissions on this issue from individual disenfranchised expats, many of whom had tried to have their say during the 1999 referendum on the republic, but were excluded.

Despite the fact that overseas voting rights were the subject of almost half the total number of submissions to the JSCEM inquiry, the matter rated only 18 pages in a report of 383 pages.

A number of practical suggestions by the SCG as to how the AEC could do its job better vis-à-vis overseas citizens were ignored.

The Group hopes that these and other expatriate issues can be properly addressed in the context of a broader Parliamentary inquiry into the Australian diaspora which the ALP has indicated it supports.

"Australia's elected politicians still view Australia as comprising only those Australians who are physically in Australia", Ms Ryan said. "But Australia is the entirety of its people - wherever they may be. It's staggering to think that a major group of Australian citizens does not have the right to vote in modern Australia."

**SCG Contacts:** Brussels: Anne MacGregor mobile +32 474 950 131  
Melbourne: Angela Ryan mobile (0415) 875 177, fixed (03) 9429 1686

**E-mail:** [info@southern-cross-group.org](mailto:info@southern-cross-group.org)

**Website:** [www.southern-cross-group.org](http://www.southern-cross-group.org)

**JSCEM Inquiry Submissions:** <http://www.aph.gov.au/house/committee/em/elect01/subs.htm>

**JSCEM Inquiry Report:** <http://www.aph.gov.au/house/committee/em/elect01/report.htm>

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