



LOWERING THE VOTING AGE: UNICEF Canada Policy Brief

June 2024

INTRODUCTION

The right to vote is the cornerstone of Canadian democracy. It is constitutionally entrenched by section 3 of the *Canadian Charter of Rights and Freedoms*, which guarantees the right to vote in federal and provincial elections to “[e]very citizen of Canada”. Canada is a country justifiably proud of our democratic tradition and has made consistent progress over our history to enfranchise groups that have been legally excluded from voting in elections, such as women and status First Nations peoples living in reserve communities, and the most recent inclusion of expatriate Canadian citizens. This progressive enfranchisement was driven by the growing recognition that “every citizen” must include those arbitrarily excluded from participation in the democratic system that impacts their lives.

Canada is also a country that is obligated to respect children’s universal rights, including children’s civil and political rights to be heard and to participate in decisions affecting them. A lower voting age would be better aligned with children’s rights under the Convention on the Rights of the Child, giving effect to their right to participate in decisions affecting them (article 12) and helping secure greater consideration of and accountability for their interests in public budgets and policies, pursuant to articles 3 and 4 of the Convention. There is ample evidence that children’s rights and interests are not given priority in Canada’s budgets and public policies, prompting a federal budget focus on intergenerational fairness in 2024. UNICEF Report Cards have documented a slide in many child outcomes and the relative lack of policies, investments and child-sensitive governance mechanisms in Canada relative to other high-income countries.ⁱ

As a large constituency – roughly one-fifth of Canada’s population – children and youth are under-represented in important legal and policy decisions affecting their lives and their futures. This effectively denies a large share of Canadians the right to participate in political and public life. Lowering the voting age is one measure to increase and more fairly distribute democratic participation, representation and accountability and signals that a society is committed to realizing young peoples’ rights, listening to their views and valuing their aspirations.

In a 2023 poll, 63% of UNICEF Canada U-Reporters said lowering the voting age would make governments more responsive to young people’s prioritiesⁱⁱ¹

We can further strengthen democracy and children’s rights in Canada by allowing citizens younger than age 18 to vote in elections. Lowering the voting age would be more aligned with the rights and responsibilities young people already have; intergenerational policy fairness; and current evidence about their cognitive capacities to participate in the democratic process and the positive impact of youth voting behaviours on social cohesion and democracy demonstrated by enfranchising young people in other jurisdictions.

UNICEF Canada supports Bill S-201, *An Act to amend the Canada Elections Act and the Regulation Adapting the Canada Elections Act for the Purposes of a Referendum* (voting age).

DEMOCRACY IS STRONGER WHEN IT INCLUDES EVERYONE

¹ U-Report is a platform that allows young people to share their opinion on issues that matter to them. U-Reporters participate by responding to polls and surveys on various topics related to children’s rights, health, education and other social issues. Their input helps UNICEF, and its partners better understand the needs and perspectives of young people in Canada, guiding advocacy efforts and programming decisions. U-Reporters can also receive information and updates from UNICEF Canada and contribute to campaigns aimed at improving the lives of children and youth nationwide.

Canadian youth are cognizant of the serious social, environmental and economic challenges facing society, and less optimistic about the future than were youth in previous generations. They have mixed views of the capacity of their country's institutions to meet these challenges.ⁱⁱⁱ Studies conducted by Apathy is Boring have found that youth are more likely than not to believe their country has a functioning democracy and governments that work. Most express confidence in public and nonprofit institutions (health care, education and major charities). On the other hand, there is widespread agreement that governments need to change in a variety of ways (even if there is no consensus on which changes are most essential). At the same time, there is clear evidence of hope for the future, as many believe in the potential for making real progress on major global issues such as gender inequality and racism, and in the power of collective action.³ Their perspectives should be understood and embraced to foster meaningful engagement in Canadian democratic institutions, policies and politics and respond to the current polycrisis that weighs most heavily on young people, even if these perspectives are different than those of older generations.

VOTING AROUND THE WORLD

Challenging the voting age is not a new concept: it is an ongoing process that responds to evolving circumstances and evidence. In 1867, the minimum voting age for federal and provincial elections in Canada was 21. The voting age remained unchanged until 1970 when it was lowered to 18. During the early 20th century, exceptions were made for military personnel during wartime, allowing them to vote regardless of age. Notably, during World War II, the significant contribution of young people prompted some provinces to permanently lower their voting ages, starting with Alberta in 1944 and followed by others over several decades.⁶ When societal shifts led to increased youth activism, federal Parliament lowered the voting age to 18 in 1970.

Lowering the voting age in jurisdictions around the world has often involved bottom-up campaigns with significant involvement of civil society and youth organizations. Other efforts to expand the voting franchise have been driven by incumbent governments (through legislative and electoral reform) with the involvement of civil society; Austria is an example. New Zealand is an example of a country where the courts have weighed in.

Some countries such as Austria, Norway² and Scotland have reported benefits of lowering the national election age to 16 years. Countries and territories where children aged 16 and/or 17 are allowed to vote in all elections include Argentina, Austria, Brazil, Cuba, Dominican Republic, Ecuador, Guernsey, Greece, Indonesia, Isle of Man, Jersey, Nicaragua, North Korea and Timor-Leste. Some countries and territories allow 16- or 17-year-olds to vote in at least some elections, such as local or state elections, as in Estonia, Germany, Israel, Puerto Rico, Scotland and Wales. Children aged 16 in Belgium, Austria, Germany and Malta, and those aged 17 in Greece, are allowed to vote in European elections. In the U.S. 17-year-olds can vote in the presidential or congressional primaries or party caucuses in some states if they turn 18 before the general election. A number of American cities have lowered the minimum age to 16 for children to vote in local elections. Following a participatory process and consultations with civil society (including young people), in 2022 the European Parliament (EP) tabled a proposal to harmonize the voting age for the election of members of the EP from 18 to 16 (allowing for

² Norway conducted trials to lower the voting age in 2011 and 2015 <https://www.regjeringen.no/en/topics/elections-and-democracy/reduced-voting-age-trials/id2666753/>

exceptions). The EP stated that “the right to vote at the age of 16 would reflect current rights and duties that the European young people already have in some Member States”.

In 2023, U.S. Congresswoman Grace Meng (D-NY) reintroduced a bill to amend the constitution to lower the voting age to 16. Referring to other contributions made by adolescents, such as working and paying taxes, the Congresswoman recognizes the need to “give them a voice in [US] democracy”, and the campaign is supported by several civil society and youth organizations. A youth-led movement initiated a similar legal case in New Zealand, resulting in a Supreme Court ruling which concluded in 2022 that the voting age of 18 represented discrimination on the basis of age. The Court declared that electoral laws establishing a minimum voting age of 18 years were unjustifiably inconsistent with New Zealand’s *Bill of Rights Act*, which prohibits age discrimination. The Court found that the government failed to demonstrate why 16- or 17-year-olds lack the maturity to vote.

CONSIDERATIONS IN LOWERING THE VOTING AGE

There are many reasons to lower the voting age:

Minimum Ages

There is no compelling protective rationale for excluding young people from voting. Setting a minimum age in law, policy, regulation or administrative procedure is a proxy for capacity and is generally applied to an entire population when it is not possible to provide for case-by-case consideration of the maturity and capacity of individuals (as in medical decision-making). As a result, the “blanket” minimum age is almost always arbitrary. Setting a minimum age at or below the age of majority (separating childhood and adulthood) is typically intended to protect young people from decision-making responsibilities and from exercising rights considered to be beyond their capacity, particularly if doing so is likely to place them or others at risk. Minimum ages are not always established or re-evaluated through a careful, strategic process considering the full scope of children’s rights and available evidence. There is a tendency to set high age thresholds to protect children based on (sometimes unjustifiable) presumptions of incapacity in childhood and capacity in adulthood.^{iv} Social and cultural norms and beliefs often influence the ages at which certain behaviours are considered acceptable, regardless of evidentiary findings.^v These norms and beliefs evolve over time and should be regularly questioned.

The result is a great degree of inconsistency in legal minimum ages. For instance, young people under age 18 in Canada can decide to join the armed forces, consent to sex, get married, leave school, work and pay taxes and be criminally charged. They cannot vote. Consideration of children’s rights; evidence about their cognitive capacity; and the experiences of lowering voting ages in other jurisdictions suggest that there is no substantial, protective benefit in preventing young people under age 18 from voting.^{vi} Unlike strategically selected minimum ages that protect children from risks such as use of alcohol or driving, neither young people nor other groups face a risk if young people participate in the electoral process.

Maturity and Competency

Young people generally have the capacity to vote. A commonly heard argument against lowering the voting age is that young people are not mature enough to participate in the electoral process: to understand public policy issues and the political system and form their own views.^{vii} This belief stands in contradiction to current evidence about human cognitive

development. Canada lowered the voting age from 21 to 18 in 1970. Developmental and brain science has evolved in the succeeding 50 years, redefining understanding of ‘the evolving capacities of the child’.^{viii} In essence, the “cold cognition” capacity required for voting is generally formed by age 16 and stable thereafter. A 2019 study with more than 5,000 adolescents from 11 countries found that changes in the prefrontal cortex result in two independent neural pathways for decision making: one is related to digesting information and reasoning, the other operates when choices are made impulsively.^{ix} Tasks such as voting and working are critically related to the first neural pathway, while impulsive behaviour such as criminal activity often relates to the second pathway. A 2021 review of the literature argues that: “taken together, adolescents, on average, are capable of rational, deliberative decision-making supported by their mature cognitive capacities”.^x A significant proportion of scientists in the neurodevelopmental field have argued that lowering the voting age is in line with current evidence about adolescent brain development. Many experts assert that a 16-year-old has sufficient cognitive and critical thinking capacities to make political decisions independently.^{xi} Giving adolescents a voice and allowing their participation in matters that affect them through voting would also help fulfill a developmental need for agency and autonomy, which are core developmental tasks in adolescence.

Many young people are well informed about ballot box issues such as COVID-19, climate change, mental health, education and inequality, among other policy issues that affect their lives now and in the future. Young people also display competence in civic education initiatives and public policy related advocacy.

Some studies have shown that mid-adolescents have similar levels of political knowledge as young adults. In Brazil, where 16-year-olds are eligible to vote but compulsory voting is limited to those over 18, levels of political knowledge and media consumption are indistinguishable for those above and below 18. Similarly, when the voting age was reduced from 18 to 16 in Austria in 2007, 16- and 17-year-olds were found to be as well informed as 18- to 21-year-olds.

A perception that most young people lack the capacity to vote also contradicts existing legislation that presumes capacity in young people. At the ages of 16 and 17, young people are trusted to make informed choices and display rational decision-making abilities in a range of serious decisions including marriage and joining the armed forces.^{xii}

Requirements for educational attainment and political knowledge do not currently constitute barriers to voting rights for adults in most countries, and therefore should also not hinder access to voting for adolescents. If the right to vote was based on a competency requirement, other citizens might also be at risk of being denied their civil rights.

In a 2022 poll, the top two barriers to young people’s civic participation identified by UNICEF Canada U-Reporters are not being taken seriously (43%) and a lack of information and education (34%).^{xiii}

Influence

Young people are capable and show evidence of independence in forming political views and voting for political parties. An argument sometimes used to oppose lowering the voting age that is closely related to the argument around maturity suggests young people are too easily influenced to be entrusted with their own vote.^{xiv} It has been suggested that young people will simply vote the same as their parents, as family is a powerful influence on voting choice.^{xv} Yet this argument can hold true at any age, not only for young voters.^{xvi} Extensive research finds that voters of all ages and education levels often base their political decisions on loyalties,

identities and peer influences rather than purely political interests or the objective consideration of policy platforms. Yet during the Scottish referendum vote in which 16- and 17-year-olds were allowed to participate, it was found that up to 40% of young people voted differently than their parents.^{xvii} It was also found that they used a broader range of information sources to inform themselves before casting their vote than did other age groups.^{xviii} This suggests that the role of parental influence on young voters can be overestimated.

Regardless of political orientation, most Canadian youth do not limit their social circles to those of the same view. Many pay close attention to news and current events and bridge the political divide by connecting with friends and others whose political views are very different from their own.¹³ In fact, according to *Apathy is Boring*, fewer than four in ten say all or most of their friends share their own political views, and about half say they connect with people (online and in-person) with others whose political orientation is very different from their own.²³ Four of Canada's federal political parties permit people age 14 and up to vote for party leadership and local nominees – they can help decide who our Prime Minister will be. There is no evidence in Canada that one type of party benefits more than another if young people participate in the political process.

In a 2022 poll, 45% of UNICEF Canada U-Reporters disagreed that they would be most likely to vote for the same party or candidate the same way as their parents, compared to 15% who agreed.^{xix}

Interest

Young people have demonstrated their interest in voting and can be expected to show up at the polls. A sentiment shared by some is that young people are ignorant of political affairs and have no interest in the political process or in voting.^{xx} However, many industrialized nations are experiencing a decline in voter participation rates, suggesting that adults are disinterested in the political process themselves. Yet adults are not required to prove a sufficient level of political interest or knowledge before being allowed to cast a vote.

Many young people in Canada actively participate in civic life through informal mechanisms such as volunteering, activism and advocacy: they are not passive observers. Experience from other jurisdictions demonstrates that young people are in fact willing and able to participate in politics.^{xxi} During the Scottish referendum, 75% of 16- and 17-year-olds turned out to vote, compared to 54% of 18- to 24-year-olds, and 72% of 25- to 34-year-olds.^{xxii} The turnout of young people at the ballots was so successful that it was followed by efforts to lower the voting age in Scottish national elections.^{xxiii} Similarly positive results were seen when Norway allowed 16- and 17-year-olds to vote in local elections in 2011, with a higher turnout rate than older first-time voters.^{xxiv} Likewise, a study in Austria (which lowered the voting age to 16 in 2007) found that citizens under 18 years old are just as motivated to take part in political life as older age groups.^{xxv} This is because young people can recognize that political issues and decisions affect their lives – there is self-interest as well as civic interest among young people.

Research has shown that expanding adolescent franchise has the potential to instill greater political interest because voting is a habitual behavior, with younger first-time voters more likely to vote again in subsequent elections. In an analysis of research done in several countries that had lowered the voting age to 16, researchers found that the impact was overwhelmingly positive in terms of political engagement and civic attitudes.^{xxvi} Voting at an early age also impacts parents: research in Denmark found that parents were more likely to vote after their children became voters.^{xxvii}

In a 2022 poll, 95% of UNICEF Canada U-Reporters under age 18 said they would vote if they were eligible to do so.^{xxviii}

Civic Engagement

The main aim of recent federal electoral reforms has been to make the vote fairer in terms of representation and more participatory, which lowering the voting age would also help achieve. The 2016 parliamentary Special Committee on Election Reform stated a primary goal to “strengthen inclusion of all Canadians in a diverse society” and one of the five principles of the review was to “encourage greater engagement and participation in the democratic process, including by underrepresented groups.” A lower voting age would increase electoral representation and participation in Canada.^{xxix}

While eligibility to vote happens overnight when one turns 18, the ability to understand politics can be developed from a young age. While not a pre-condition for the right to vote, a well-informed electorate fosters a more vibrant democratic environment and affects the quality of political debates. As articulated by the Committee on the Rights of the Child, efforts to lower the voting age can be accompanied by investments in initiatives that empower adolescents to understand, recognize and fulfil their responsibilities as active citizens. This includes prioritizing citizenship and human rights education, as well as addressing any other obstacle hindering their engagement and participation in civic life. Such programs can help ensure that young people are able to vote in as informed and autonomous a manner as possible.^{xxx} Scotland made a concerted effort to increase political education in the school curriculum and found that 16- and 17-year-olds exhibited more confident attitudes in their understanding of politics, which increased their likelihood of participating in the Scottish referendum.^{xxxi} Studies show that if first-time voters have social and educational support — which are more likely to be available when they live with parents/guardians and attend school — they are more likely to vote again.⁴ Research also shows that younger voters create a “trickle up” effect, as parents and other adults in their lives are more likely to vote when youth do.⁵

Canada already has a strong base of non-governmental organizations supporting credible civic education and participation among youth, including Samara, Civix and programs like UNICEF Canada’s Youth Advocacy Program. They demonstrate the interest and capacity of young people to engage with the democratic system and can support relevant school-based and youth program education.

Children’s Rights

The right to vote is a basic and important democratic right, not a mere privilege. A lower voting age is in accordance with the Convention on the Rights of the Child. Children’s rights to be heard and to have their best interests considered would be well-served by lowering the voting age. Children’s right to have a say in administrative and other decisions affecting them is so important because it affects other rights including education, economic opportunity, protection, and so on.

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

States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.^{xxxii}

2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.^{xxxiii}

The Committee on the Rights of the Child emphasizes that children have a right to be involved in all matters that affect their lives, and this includes participation in democratic processes.^{xxxiv} The Committee elaborates on this right in their General Comment No. 12, *The right of the child to be heard*, expressing the view that there is no minimum age threshold that activates the child's right to be heard:

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

This principle, which highlights the role of the child as an active participant in the promotion, protection and monitoring of his or her rights, applies equally to all measures adopted by States to implement the Convention.^{xxxvi}

The Committee on the Rights of the Child in [General Comment no. 20](#), states:

*“24. The Committee emphasizes the importance of participation as a means of political and civil engagement through which adolescents can negotiate and advocate for the realization of their rights, and hold States accountable. States should adopt policies to increase opportunities for political participation, which is instrumental in the development of active citizenship. **If States decide to lower the voting age to under 18 years, they should invest in measures that support adolescents to understand, recognize and fulfil their role as active citizens, including through citizenship and human rights education and by identifying and addressing barriers to their engagement and participation.**”*

The Committee on the Rights of the Child has commended States that have lowered their voting ages to 16 years^{xxxvii} and recommended that Canada strengthen the meaningful and empowered participation of children in decision-making processes.^{xxxviii}

Other major human rights treaties guarantee voting rights through “universal and equal” suffrage, notably the International Covenant on Civil and Political Rights, Art. 25. The instruments do not set age cut-offs for voting and the rights must be fulfilled “without distinction of any kind” based on personal characteristics or status, including age. Differential treatment, to not amount to discrimination, must have a “reasonable and objective” basis, according to international law.

A 2007 Senate Committee report, “Children: The Silenced Citizens” found that,

Children’s voices rarely inform government decisions, yet they are one of the groups most affected by government action or inaction. Children are not merely underrepresented; they are almost not represented at all. The Convention on the Rights of the Child properly puts children at the centre, in the context of their family, their community, and their culture. Nevertheless, there is a real gap between rights rhetoric

and the reality of children's lives in Canada – many people in Canada and elsewhere continue to resist full implementation of the Convention.^{xxxix}

Canada's Constitutional Rights

Section 3 of the Canadian *Charter of Rights and Freedoms* provides that “every citizen of Canada has the right to vote in an election”. In fact, citizenship is the only constitutional requirement to vote. The *Canada Elections Act* sets out the rules for federal elections in Canada. In 2019, the Supreme Court of Canada, in *Frank v Canada*, made it clear that any limit on Canadian citizens' right to vote must be clearly justified. The majority found that the provision in the *Elections Canada Act* barring Canadian citizens from voting in federal elections if they have been living abroad for longer than five years breached section 3 of the Charter and is therefore unconstitutional.³ The *Canada Elections Act* continues to exclude one group of citizens from voting: those below age 18 (section 3 of the *Act* sets the voting age at 18). In 2021, the Ontario Superior Court of Justice accepted a court challenge to the *Canada Elections Act* to lower the voting age, on the basis that excluding young people under age 18 amounts to age discrimination (under section 15 of the *Charter* which states that everyone is equal before and under the law without discrimination based on age) that is not reasonable nor justifiable (under section 1 of the *Charter*). The challenge is led by 13 youth litigants and their legal counsel, the David Asper Centre for Constitutional Rights (University of Toronto School of Law) and Justice for Children and Youth, a youth legal clinic.

Political Dialogue in Canada

The report of the parliamentary Special Committee on Electoral Reform in 2016 reported on debate and testimony related to the enfranchisement of under-18s. A number of witnesses argued in favour of it. The concluding recommendation, however (Recommendation 9), was that the government explore ways in which younger people could be registered as electors up to two years in advance of reaching voting age.

R9: The Committee recommends that, working with the provinces and territories, the Government explore ways in which youth under 18 years of age could be registered in the National Register of Electors, preferably through the school system, up to two years in advance of reaching voting age.

In tandem with this discussion was the consideration of a national referendum on electoral reform and whether 16- and 17-year-olds should be allowed to participate in it. Discussion focused on the impact lowering the voting age would have on long-term voting engagement to strengthen democracy, rather than on the other benefits of rectifying the political exclusion and powerlessness of young people. The importance of civic engagement and education in encouraging young people reaching the age of majority to vote was given significant attention. A recommendation was made to this end (Recommendation 10), which was supported by the Liberal committee members:

R10: The Committee recommends that the Government accord Elections Canada the additional mandate, and necessary resources, to encourage greater voter participation, including through initiatives such as Civix's Student Vote, and by better raising

³ There were some exceptions, including for members of the military and government employees posted in other countries.

awareness among Canadians of existing options to vote prior to Election Day (voting at an advance poll, voting by mail, voting at any Elections Canada office).

However, Canadians are sensitive to the need to enfranchise young people; a number of Private Member's Bills and Senate Public Bills in federal parliament have proposed amending the *Canada Elections Act* to lower the voting age; a 2016 Special Committee on Electoral Reform report contemplated lowering the voting age; federal parties such as the NDP and Green have included this in recent election platforms; and the 2023 Liberal National Convention passed a resolution to do so. In Newfoundland, Ontario, Prince Edward Island and New Brunswick, members of the legislatures have advocated for a voting age of 16. The City of Vancouver officially endorsed lowering the voting age to 16 in municipal elections.

CONCLUSION

Children's rights and available evidence confirm that lowering the voting age:

- Is consistent with children's rights and capacity;
- Will not harm young people or obstruct the protection to which they are entitled;
- Can have positive effects on civic engagement and democratic participation; and
- Would enable a vulnerable yet large constituency to make their views on issues affecting them known and acted upon.

Allowing young people to vote would support their right to be heard and could in turn contribute to fairer and more balanced political decision-making. The historical expansion of voting rights has shown that voting impacts the setting of political priorities, laws, political priorities and budget allocations. Women's suffrage resulted in a shift in public policy that better reflects women's priorities and concerns. For instance, in Western Europe, social spending increased by approximately one percent of GDP after women gained the right to vote. In the U.S., a study of preregistration (registering individuals before they are eligible to vote) found that politicians were more responsive to issues that matter for the young, such as higher education spending, and that each one percent increase in youth voting led to a roughly one percent increase in expenditure on higher education and increased student financial aid. The realization of children's rights emerges from the setting of political priorities and the allocation of government spending. Furthermore, children have the longest to live with the impacts of policies and laws. A lower voting age would be an important step broadening the democratic foundation on which Canada was built and helping to strengthen social cohesion and intergenerational fairness.

ABOUT UNICEF CANADA

UNICEF stands for every child, everywhere. UNICEF is the world's farthest-reaching humanitarian organization for children. Across 190 countries and territories, and in the world's toughest places, we work day in and day out to defend children's human rights and a fair chance to fulfil their potential, guided by the 1989 Convention on the Rights of the Child. UNICEF Canada was founded in 1955 to fundraise for UNICEF's highest priorities and to secure the human rights of children in Canada. As part of the UN family, our ability to work neutrally with governments, civil society, the private sector and young people generates results on a scale that is unparalleled. Our mission has always been for children as the highest priority – regardless of race, religion or politics – and has always relied on voluntary contributions.

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- ⁱ <https://www.unicef.ca/en/publications-and-research>
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