



Knowledge sheet

Implementation of diaspora voting

The cases of France, Tunisia and Senegal



Background

Between September and October 2022, a series of three webinars was organised in the framework of the Madagascar II Action, implemented by MIEUX+ in collaboration with the **Directorate of Diaspora Affairs and Migration of the Ministry of Foreign Affairs of Madagascar**. In line with the MIEUX+ methodology, the **objective** was to **facilitate the exchange** between Malagasy officials and officials from other countries on **good practices in operationalising out-of-country voting and promoting diaspora participation in national debates and consultations**.

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Actors

These peer-to-peer exchanges focused on three countries (France, Tunisia and Senegal) chosen as relevant examples, as they are French-speaking, institutionally close to Madagascar's political system, and have a long experience of out-of-country voting, both for presidential and, more recently, legislative elections. For each country, one (or two) practitioners with solid knowledge of voting abroad presented the good practices implemented in their country and the lessons learnt. The exchanges were moderated by Thibaut Jaulin and Etienne Smith, experts for the Madagascar II action.

France

Mr. Olivier DEAU - Parliamentary assistant to the MP for the 9th constituency of French citizens living outside France.

Tunisia

Mr. Mohamed KRIR - former President of IRIE France 1 in 2014.
Mr. Anouar CHAOUAT - former President of IRIE France 1 in 2019.

Senegal

Mr. Macoumba COUME - electoral expert and former Director of Training and Communication at the General Directorate of Elections.



An electoral process led by the Ministry of Foreign Affairs

French citizens abroad have voted in presidential elections since 1981 and in legislative elections since 2012. 11 deputy seats are reserved for French citizens abroad. The voting procedures for the presidential elections are voting at the ballot box or voting by proxy. For the legislative elections, there is also the possibility of voting by internet (in 2012 and 2022, but this possibility was suspended in 2017). The Department of French Nationals Abroad (DFAE) of the Ministry of Foreign Affairs manages the entire process, in close collaboration with the Ministry of the Interior, from drafting regulations and legislation to the actual voting process. For example, for the 2022 French presidential elections, 34,752,000 ballot papers and 215 tonnes of electoral material were sent by plane and truck to over 200 diplomatic and consular posts. A total of 988 polling stations were opened in 443 sites, with 6,000 volunteers for each round of voting. Around 1,450,000 French citizens were registered on the consular electoral list in 2022. This compares to 245,000 in 1995. The turnout abroad for the presidential elections is between 30% and 40% and for the legislative elections, between 15% and 25%.



Good Practices

1. Consular posts at the centre of the voting system

Consular posts have integrated electoral logic into their operations, without changing their organisational charts or operating methods. From revising electoral lists to counting of results, including the organisation and supervision of polling stations, consular staff are mobilised at all stages of the electoral cycle. The challenge for consular posts is to have fluid and efficient channels of communication locally with candidates' representatives and with the network of consular advisors and centrally, with the Directorate of French Nationals Abroad (DFAE) of the Ministry of Foreign Affairs. The operations are financed from the MFA's funds, in particular for the additional cost of human resources at headquarters and in the diplomatic and consular network, to which are added transfers from the Ministry of the Interior to the MFA for certain logistical aspects (delivery of electoral propaganda, dispatch of material, reworking and harmonisation of computer files).

2. A proven system for counting and centralising results

The ballots are counted in the presence of the candidates' delegates and the minutes of the consulates are signed by all the polling station members before being sent to the Direction des Français à l'étranger (DFAE). In Paris, the DFAE organises a meeting of the electoral commission to count votes the day after the election, to which the candidates' representatives are invited to express and record their objections. Once this meeting of the electoral commission for the counting of votes has been held, the DFAE sends all the local and aggregated results to the Ministry of the Interior.



Lessons Learnt

1. Electronic voting is a solution, but not a panacea

Electronic voting was introduced in 2012 for parliamentary elections only. However, it was suspended in 2017, as the security guarantees did not appear to be sufficient. In 2022, it was allowed again. Nevertheless, there were technical problems with the process (problems with some voters' e-mail addresses). In 2012, as in 2022, internet voting allowed an increase in participation, but very moderate, since the total participation (ballot box and internet voting) remained below 25%. At this stage, it remains a complementary voting method that is not intended to become an exclusive method. Moreover, its implementation requires a different timetable than the one for voting at the ballot box, which may blur the message to voters. The cost of the system for the 2022 legislative elections was 1.32 million euros, compared with 4.85 million euros for voting at the ballot box.

2. The delivery of election propaganda: a necessity?

The sending of election propaganda is an obligation of the electoral code, including abroad. This mailing represents a major logistical challenge and is costly (between 4 and 5 million euros for all voting abroad for two rounds of voting). Delays are always possible. A dematerialisation of sending electoral propaganda could be envisaged to facilitate the process. Still, the reliability of electronic addresses represents a challenge and, the electoral law only recognises the physical address.



Additional resources

- Marie-Christine Peltier-Charrier, *Les Français de l'étranger comme catégorie politique*, Paris, LGDJ, 2021.
- Joëlle Garriaud-Maylam, "Un pays pionnier. La représentation politique des expatriés en France", in S. Dufoix (dir.), *Loin des yeux, près du cœur. Les États et leurs expatriés*. Paris, Presses, de Sciences Po, 2010, pp 105-127.



Tunisia

An electoral process steered by the Independent Superior Instance for Elections (ISIE) and its regional branches (IRIE)

The 1989 presidential election was the first election in which Tunisians abroad participated. In 2011, following the fall of Zin el Abidine Ben Ali's regime, the *High Authority for the Achievement of the Revolution's Objectives* guaranteed the representation of Tunisians abroad in the Constituent Assembly, with eighteen deputies out of a total of 217, divided among six offshore constituencies. These provisions were renewed in the 2014 and 2019 legislative elections. However, in 2022, the new Constitution granted only 10 seats to Tunisians abroad, spread over 10 extra-territorial constituencies. Since 2011, the elections have been organised and implemented by the Independent Higher Electoral Body (ISIE) and its branches in each constituency, in Tunisia and abroad: the Independent Regional Electoral Bodies (IRIE). Tunisians abroad vote at the ballot box in some 650 polling stations set up in embassies, consulates and *ad hoc* polling stations. About 1 million Tunisians live abroad, out of an estimated population of 10 million in Tunisia, the result of an almost continuous emigration movement since the 1960s, mainly to France, but also to other Western countries (Italy, Germany, Canada) and to Libya and the Gulf countries. Tunisians abroad voted en masse for the Constituent Assembly election in 2011, but turnout has since dropped significantly.



Good Practices

1. A co-piloted process

Due to the historical mistrust of civil society and voters towards the central administrations and, abroad, towards the diplomatic and consular network inherited from the Ben Ali regime, the Independent Higher Instance for Elections (ISIE) pilots the entire electoral process. In each constituency, in Tunisia and abroad, the implementation of this process is ensured by the Independent Regional Electoral Bodies (IRIE). Abroad, the Ministry of Foreign Affairs and the consulates play a simple role of support to the IRIE. In addition, a convention or memorandum is signed between the MFA and the ISIE before the electoral process to define the roles and responsibilities of each.

2. Enable online registration

In the 2011 Constituent Assembly election, both in Tunisia and in constituencies abroad, the ISIE exceptionally allowed voters to cast their ballots even if they were not registered to vote. Prior registration on the electoral roll became compulsory again in the 2014 election and was made electronic. However, while voters abroad could register online with the ISIE, technical and commercial difficulties prevented the implementation of SMS registration abroad.

3. Train election staff abroad

Abroad, as well as in Tunisia, the ISIE relies on video modules to train election staff. Such training is essential to avoid errors that could have serious consequences on voting day (e.g. inability to vote due to registration problems) and lead to challenges or even cancellation of the vote locally. These trainings could be complemented by post-training evaluations, in order to verify the acquisition of knowledge by the election staff, and the issuing of certificates.

4. Set up a telephone hotline on polling day

To alleviate possible problems at polling stations abroad, the ISIE set up a hotline available throughout the day of the vote until the count. This hotline proved extremely valuable in informing the staff of the IRIEs (and diplomatic missions) on various issues requiring immediate answers (e.g. electoral lists, rules of access to polling stations, etc.). In addition, a dedicated "operations room" at the consulate also allowed for real-time responses to requests from polling station presidents.



Lessons Learnt

1. Financial autonomy and legal status of Independent Regional Electoral Bodies (IRBs) abroad

IRIEs abroad face specific challenges in implementing elections outside the national territory. For example, the use of different currencies (and banking systems) in the countries where elections are held makes it difficult and expensive to make payments, to pay polling station staff, to rent premises or to buy consumables. The granting of relative financial autonomy to the IRIEs abroad has allowed them to be more efficient and responsive to unexpected challenges (reshipment of electoral material at short notice, defection of polling station members, etc.). However, in the absence of legal status in the countries where they operate, IRIEs abroad must systematically go through diplomatic and consular missions to make bank transfers as well as to have exchanges with the authorities of the host countries (security of the electoral process, regulation of electoral posters, opening of polling stations outside consulates and embassies, etc.).

2. Anticipating and optimising the costs of elections abroad

REIs abroad were asked to submit budget estimates to take better account of differences in living standards between countries and various solutions were devised to limit costs. For example, favouring candidates who live close to a polling station when recruiting polling station staff. Another example is to limit voting abroad to one or two days, instead of three, due to the high cost of securing polling stations outside the diplomatic network.



Additional resources

- Thibaut Jaulin and Björn Nilsson, "Voter ici et là-bas : les Tunisiens à l'étranger depuis 2011", *European Journal of International Migration*, vol. 31 - n°3 and 4 | 2015, 41-71.
- Jaulin, Thibaut, and Étienne Smith. "Generalization and practices of distance voting. Introduction thématique," *Afrique contemporaine*, vol. 256, no. 4, 2015, pp. 11-34.



Senegal

Mixed election management

Adopted in 1992, the 'right to vote abroad' allows Senegalese abroad to participate in presidential and legislative elections and referendums by voting in polling stations in their country of residence. It should be noted that Senegalese abroad also can register for local elections on the electoral lists of their commune of origin. Still, they must then return to Senegal to vote. External voting was first implemented in 1993 with a limited number of countries where Senegalese abroad can vote (15). This number increased thereafter: 42 in 2007, and 50 countries since 2019. For the last elections in 2022, there were no fewer than 758 polling stations abroad. Similarly, the overseas voter file has increased sixfold since 1993, from 50,000 initially to 310,000 in 2019. The turnout abroad is generally between fifteen and twenty points below the national turnout, with an average of around 45%, which is a relatively high turnout for external voting. Since 2017, a special parliamentary representation for Senegalese abroad has been introduced: 15 of the 165 seats in the National Assembly are now reserved for Senegalese abroad, i.e. just under 10% of the seats. Finally, the Autonomous National Electoral Commission (CENA) has created External Directorates (DECENA) to supervise voting abroad. These DECENAs work closely with the Ministry of Foreign Affairs for the material organisation of voter registration and voting.



Good Practices

1. Selection of countries for out-of-country voting

Criteria were established for the organisation of the ballot abroad, namely: the presence of a diplomatic mission and a demographic threshold of 200 registered voters. These criteria allow for a better match between the resources of the Senegalese state to organise the ballot abroad and the voters' expectations. This approach also makes it possible to increase the number of countries concerned with each election: 15 countries were concerned in 1993, 38 in 2007, and 50 in 2019. The list of jurisdictions is drawn up before the electoral roll revision begins. It is supervised by the Autonomous National Electoral Commission (CENA) and is subject to an advisory opinion from political parties to ensure the political acceptability of the measure.

2. Creation of External Delegations of the Electoral Commission (DECENA)

DECENAs are set up in each Embassy, or Consulate opened in a country where the required number of voters exists to participate in the elections. Each DECENA includes:

- a President appointed by the President of CENA from among the members of the Senegalese community residing in the jurisdiction;
- two other members appointed by the President after consultation with the nationals;
- an official of the Embassy or Consulate acting as Secretary General.

These appointments are approved beforehand by the ANEC General Assembly and following an investigation of their moral integrity, intellectual honesty, neutrality and impartiality.

3. Electoral operations abroad financed from own funds and included in the budget of the Ministry of Foreign Affairs

The operations abroad are financed by the Ministry of Foreign Affairs and Senegalese Abroad, and the expenses are included in its budget. In 2022 (legislative elections), out of a total budget of approximately CFAF 10 billion (EUR 15 million), CFAF 1 billion (EUR 1.5 million) was allocated to the diaspora vote, i.e. 10% of the total. The Autonomous National Electoral Commission provides its external delegations with a substantial budget. In 2022 (legislative elections), it amounted to 419 million FCFA (635,000 euros).



Lessons Learned

1. Clarify the distribution of competences between ministries

To avoid tension between the national authority in charge of preparing and organising elections (Ministry of the Interior) and the Ministry in charge of Foreign Affairs and the Diaspora, it was necessary to revise some articles of the Senegalese electoral code (Article L1, Article L3 and L306) to clarify the distribution of competences.

2. Standardise the sending of minutes by diplomatic missions

In order to ensure the efficient and secure management of the transmission of results, which may have caused problems during some polls (transmission by some diplomatic missions of summaries and aggregated results rather than individual and original minutes; delays in sending), a single special results collection form is sent to diplomatic missions.

3. Anticipating logistical problems

Ensuring that sufficient material and financial resources are available and on time is an imperative condition for properly organising the ballot abroad. Despite budgetary and logistical anticipation, logistical problems arose during certain polls (ballot papers not delivered within the time limit in Côte d'Ivoire, delays in the distribution of electoral cards, etc.).

Heavy equipment (ballot boxes etc.) is at the expense of the consulates to avoid costly transport and because it is used from one election to the next.



Additional resources

- Etienne Smith, 'Does the diaspora make the election? Le vote des Sénégalais de l'extérieur (1992-2012)', *Afrique Contemporaine*, n° 256, 2016: 51- 72.
- Etienne Smith, 'Carte électorale externe et cartographie des migrations sénégalaises', *Afrique Contemporaine*, No. 256, 2016:114-116.

Conclusion

Countries such as Madagascar, where the electoral system involves several institutions such as the Independent National Electoral Commission and the Ministry of Interior, and which have a directorate dedicated to strengthening engagement with the diaspora, can choose among several models to operationalise the right to vote abroad. However, as illustrated by the good practices and lessons learnt from Senegal, France and Tunisia, this choice will have to consider the country's capacity to deal with issues related to the electoral roll, voting modalities, election observation as well as financial and human resources.



Additional resources

- Ministry of Foreign Affairs of Madagascar, "National Policy Letter For Diaspora Engagement" (document developed with the support of MIEUX+)
- EU Global Diaspora Facility Diaspora Engagement Mapping - Madagascar
- International Institute for Democracy and Electoral Assistance "Voting from Abroad"

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