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20 October 2017

The Chief Elections Officer,  
Zimbabwe Electoral Commission,  
Mahachi Quantum Building,  
1 Nelson Mandela Avenue,  
Harare

Dear Madam ,

### **Provision of Voter Education**

With the Biometric Voter Registration campaign now under way and the 2018 general election fast approaching, citizens need as much information as possible about their rights and obligations as voters. If they do not understand their rights and obligations they will not be able to make political choices freely, as they are entitled to do under section 67 of the Constitution. Furthermore, under section 61 of the Constitution (freedom of expression) they have a right to receive the information they need, and everyone – including civil society organisations, churches, news media and concerned members of the public, not just your Commission and its permitted assistants – has a right to provide it.

The Electoral Act so restricts the provision of voter education that it gives your Commission a virtual monopoly over it. Veritas contends that the restrictions contained in the Act are unconstitutional, in that:

- they infringe freedom of expression by unduly limiting the classes of people who can provide voter education;
- they infringe the political rights of citizens by preventing them from receiving information which will enable them to make free political choices.

The restrictions go far beyond what is fair, reasonable, justifiable and necessary in a democratic society in order to ensure that voters get accurate and unbiased information, an objective that could be achieved quite adequately by penalising the giving of false or inaccurate information – which the Act does. Because of this, we consider that the relevant provisions of the Electoral Act are clearly unconstitutional and void and should be ignored by the Commission.

In view of the unconstitutionality of the Act, we urge the Commission to issue a public statement that all interested organisations, including churches, will be permitted to provide voter education without restriction, but that the Commission will call for inaccurate or biased information to be withdrawn or corrected.

Because the electoral process has already started we urge the Commission to issue this statement within the next two weeks.

Please let us know as soon as possible when you will issue the statement.

Yours faithfully,

A handwritten signature in blue ink, appearing to read "V.A. Ingham-Thorpe", with a long horizontal flourish extending to the right.

**V.A. Ingham-Thorpe,**  
*Director*