**ELECTION WATCH 7/2017**

**[4th August 2017]**

**ZEC Press Statement on Voter Registration for Zimbabwean Citizens whose National IDs are Marked “ALIEN”**

Election Watches 5/2017 and 6/2017 outlined the new Electoral (Voter Registration) Regulations, 2017 [SI 85/2017].  The full text of the SI is available on the Veritas website *[*[*link*](http://www.veritaszim.net/node/2143)*]*.  The regulations, along with related provisions of the Electoral Act, lay down how the Zimbabwe Electoral Commission [ZEC] will carry out its constitutional responsibility for the registration of voters.

This bulletin goes into more detail on proof of citizenship for those Zimbabwean citizens whose national IDs are incorrectly marked “ALIEN”.  The number of persons in this position is believed to be substantial.

**Proof of Citizenship**

Anyone claiming registration as a voter must satisfy a ZEC voter registration officer that he or she is a citizen of Zimbabwe.   SI 85/2017 lists the three documents that are acceptable for this purpose – a Zimbabwean identity document [metal or plastic], a “waiting pass” with a photograph of the holder; or a valid Zimbabwean passport.

Whichever of these three documents is produced by a claimant, it must “legibly show that the claimant is a citizen of Zimbabwe” [section 4].

All three of these documents originate from the Registrar-General’s Office.

**A Problem for Citizens of Zimbabwe Holding “ALIEN” IDs**

There are many Zimbabweans who in terms of the Constitution are entitled to call themselves citizens of Zimbabwe, and are otherwise qualified to vote, but whose ID documents do not show that they are citizens of Zimbabwe.  Instead of the word “CIT” [indicating citizen] their ID documents bear the word “ALIEN” or “NCR” [indicating non-citizen resident].

How can these persons get themselves registered as voters when their IDs do not show citizenship?

ZEC cannot help.  It will not register a claimant who does not produce an identity document showing citizenship.  And its mandate does not include responsibility for citizenship matters, and the issuing of IDs and waiting passes and passports.  Those are matters for the Registrar-General’s Office.

**A would-be voter in this predicament will, therefore, have to apply to the Registrar-General’s Office for an identity document showing his or her citizenship of Zimbabwe.  Only once he or she has a new identity document will it be possible to get registered as a voter by a ZEC voter registration officer**.

**ZEC Press Release on the Problem**

This has recently been confirmed in a recent release issued by the ZEC Chief Elections Officer, the relevant parts of which read as follows—

* *“On the dates of the BVR registration exercise, ZEC will not register any person whose citizenship is not confirmed by the National ID or other identity document lawfully issued by the Registrar General.  ZEC does not grant or deny citizenship.  ZEC can only register adult citizens as confirmed by the Registrar General.”*
* *“Therefore, persons who, before the promulgation of the 2013 Constitution were issued with identity documents describing them as “aliens” must forthwith proceed to the offices of the Registrar General to have their citizenship regularised and confirmed.”*
* *“ZEC  therefore  encourages  all  Zimbabweans  especially  those  hitherto incorrectly referred to as aliens, to have their identity documents regularised now so that they are not disenfranchised in 2018.”*

The full text of the ZEC press release is available on the Veritas website *[*[*link*](http://www.veritaszim.net/node/2152)*].*

**ZEC Advice Applicable to All Potential Voters**

Pre-voter registration applications to the Registrar-General’s Office for correct identity documents will also be necessary in the following cases—

* persons unable to apply for IDs because of not having birth certificates – ZEC does not mention this category, but if action is not taken to see that all Zimbabweans have birth certificates the number of disenfranchised potential voters will be unacceptable.  Failure to ensure all citizens have birth certificates is violating a basic constitutional right as well as various international instruments to which Zimbabwe is a State party.
* illegible IDs or waiting passes – the ZEC press release explicitly mentions this problem and advises an approach to the Registrar-General’s Office.
* dual citizens – dual citizens may hold ALIEN IDs or, in the case of Zimbabweans in the Diaspora, no Zimbabwean documentation at all.  This may pose special problems.  Reports suggest that dual citizenship issues, if dealt with at all, are dealt with only at the Registrar-General’s head office in Harare.  If this is so, much needs to be done to correct the position and bring the Registrar-General’s practice into line with the Constitution.

**Special Effort Needed from Registrar-General’s Office, Ministry of Home Affairs and Government**

Section 155(2) of the Constitution lays down that the State [which includes the Registrar-General’s Office and the Ministry of Home Affairs under which the office falls and the Government as a whole] must take all appropriate measures to “ensure that all eligible citizens, that is to say the citizens qualified under the Fourth Schedule, are registered as voters”.

Having the correct citizenship documentation is a pre-requisite to voter registration.  The Government, the Ministry and the Registrar-General’s Office must, therefore, take all appropriate measures to ensure that citizens can get birth certificates if they haven’t got one and also the identity and citizenship documentation they need for voter registration.

The situation calls for a special effort by the Government, through the Ministry of Home Affairs and the Registrar-General’s Office, to provide Zimbabwean citizens with correct and acceptable citizenship documentation before they attempt to register as voters with ZEC.

Questions about catering for those needing identity documents to enable them to register as voters were asked in the National Assembly on 3rd May.  Hon Chombo, Minister of Home Affairs, said this when replying—

*“…in the second half of this year we are going to do some blitz in all the provinces and see those who need national documents and these will be provided by the department and throughout the country. Those who may be left out for a reason or another are also very much welcome to our various district centres and sub-district offices to get the relevant and necessary documents so that they can register as voters and that they participate in the election, come 2018.”*

It is imperative that this blitz happens sooner rather than later, and that it caters for providing correct citizenship documentation for Zimbabwean citizens holding ALIEN IDs – a problem that was not specifically put to Hon Chombo, because the questioners were concentrating on the plight of Gukurahundi orphans and others lacking the documentation needed for national registration.

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