

Chapter 11. Civic and Voter Education

Overview

Implicit in the concept of free choice is that of an informed choice. Credible and transparent electoral processes must reflect the political will of the voters. Voters can neither express, nor formulate their will without access to information about candidates, political parties and the practical, procedural, aspects of the electoral process. Well-organized, non-partisan information programmes and unhindered distribution of political party information are therefore critical elements of genuine elections. Legal frameworks are required to ensure that EMBs or relevant public bodies take the necessary steps to allow voters to make informed choices.

Civic education offers information and/or educational programmes designed to increase the comprehension and knowledge of civil rights and responsibilities. Civic education activities can also include specifically targeted training for certain professional groups, such as police and security personnel, the media and political parties, in order to prepare them for their respective roles in the electoral process.¹ In turn, voter education is defined as an activity that raises awareness of the electoral process and the requirements and procedures for voter registration, voting, and other elements of the electoral process. Finally, voter information is typically implemented as short-term programmes that focus on specific electoral information, providing relevant factual information on a specific electoral process to voters on a timely basis.² UN jurisprudence requires all three elements above to ensure the effective exercise of ICCPR article 25 rights by an informed community, as well as civic education in public schools and elsewhere.

Non-partisan voter education should aim to inform voters as to the ‘who, what, where, when and how’ of registration and voting. It can also help to

inform the public on issues, such as why they should participate and what guarantees are in place to protect their right to participate in the process. Voter education should be accessible to all members of society, regardless of their language or level of literacy. As such, voter education material should be multimedia and multilingual and culturally appropriate for various social groups. Public bodies, such as the EMB where applicable, usually bear primary responsibility for civic and voter education programmes. Moreover, such programmes can also be implemented effectively by CSOs. At the sub-regional level, the ECOWAS Supplementary Protocol calls upon states to involve CSOs involved in electoral matters in civic education campaigns.³

Providing targeted and timely voter information on procedural issues in the registration and election process is largely the responsibility of public bodies, such as EMBs. However, political parties have a strategic campaign interest in ensuring that relevant information is disseminated among their potential voters. Political parties and independent candidates are responsible, in turn, for ensuring that the electorate is informed of their political programme and candidacies.

The following Table of Jurisprudence covers issues from all three elements emphasizing the obligation that States Must Take Necessary Steps to Give Effect to Rights, and focusing on the obligations of Transparency and the Right to Information, Universal Suffrage, the Right and Opportunity to Vote, Freedom from Discrimination and Equality under the Law.

Table of Jurisprudence

11. Civic and Voter Education

11.1 Are there provisions mandating civic and voter education?

Transparency and the Right to Information

ICCPR, Art. 19(2): Everyone shall have the right to freedom of expression; this right shall include **freedom to seek, receive and impart information and ideas of all kinds**, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.

UNCAC, Art. 10: Taking into account the need to combat corruption, each State Party shall, in accordance with the fundamental principles of its domestic law, take such **measures as may be necessary to enhance transparency in its public administration, including with regard to its organization, functioning and decision-making processes, where appropriate**. Such measures may include, inter alia: (a) **Adopting procedures or regulations allowing members of the general public to obtain, where appropriate, information on the organization, functioning and decision-making processes of its public administration** and, with due regard for the protection of privacy and personal data, on decisions and legal acts that concern members of the public.

UNCAC, Art. 13: Each State Party shall take appropriate measures, within its means and in accordance with fundamental principles of its domestic law, to **promote the active participation of individuals and groups outside the public sector, such as civil society, non-governmental organizations and community-based organizations**, in the prevention of and the fight against corruption and to raise public awareness regarding the existence, causes and gravity of and the threat posed by corruption. This participation should be strengthened by such measures as: (a) **Enhancing the transparency of and promoting the contribution of the public to decision-making processes**; (b) **Ensuring that the public has effective access to information**; (c) **Undertaking public information activities that contribute to non-tolerance of corruption, as well as public education programmes, including school and university curricula**; (d) **Respecting, promoting and protecting the freedom to seek, receive, publish and disseminate information concerning corruption**. That freedom may be subject to certain restrictions, but these shall only be such as are provided for by law and are necessary.

CCPR, GC 34, p. 18: Article 19 (of the ICCPR), paragraph 2 embraces a right of access to information held by public bodies. Such information includes records held by a public body, regardless of the form in which the information is stored, its source and the date of production. [...] As has already been noted, taken together with article 25 of the Covenant, the right of access to information includes a right whereby the media has access to information on public affairs and the right of the general public to receive media output [...] p. 19: To give effect to the right of access to information, States parties should **proactively put in the public domain Government information of public interest. States parties should make every effort to ensure easy, prompt, effective and practical access to such information [...]**.

CCPR, GC 25, p. 11: **Voter education and registration campaigns are necessary to ensure the effective exercise of Article 25 rights by an informed community.**

CRC/C/NOR/CO/4, Norway (2010), p 25: [...] in line with article 29 of the Convention, to ensure that the pilot project on voting from the age of 16 is appropriately supported through the **provision of civic and human rights education** and that impact of the project on the citizenship role of adolescents is evaluated.

A/HRC/RES/19/36 (2012), p. 19: [The Human Right Council] invites intergovernmental regional, sub-regional and other organizations and arrangements, national human rights institutions and relevant non-governmental organizations to engage actively in work at the local, national, sub-regional and regional levels to consistently support and consolidate democracy and the rule of law, and to initiate exchanges with the United Nations system on their experiences by, inter alia: (c) **Encouraging the study, in schools and universities, of democracy, the rule of law, human rights and good governance, as well as the functioning of public administration, political institutions and civil society organizations;** (d) **Elaborating and widely distributing reports, assessments, training materials, handbooks, case studies and documentation on various types of democratic constitutions, electoral systems and administration in order to assist populations in making more informed choices.**

CEDAW/C/TJK/CO/3 (2007), Tajikistan, p. 26: It (the Committee) further urges the State party to establish legal safeguards that would prevent the practice of family voting and to continue to **conduct educational campaigns** seeking to explain that voting for others is not acceptable and could invalidate the results of elections.

11.2 Is the EMB responsible for voter education and voter information?

Transparency and the Right to Information; States Must Take Necessary Steps to Give Effect to Rights

UNCAC, Art. 13(1): Each State Party shall take appropriate measures, within its means and in accordance with fundamental principles of its domestic law, to **promote the active participation of individuals and groups** outside the public sector, [...] in the prevention of and the fight against corruption and to raise public awareness regarding the existence, causes and gravity of and the threat posed by corruption. This participation should be strengthened by such measures as: (b) **Ensuring that the public has effective access to information.**

ICCPR, Art. 2(2): Where not already provided for by existing legislative or other measures, **each State Party to the present Covenant** undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to **adopt such laws or other measures as may be necessary to give effect to the rights recognized in the present Covenant.**

ICCPR, Art. 19(2): Everyone shall have the right to freedom of expression; this right shall include **freedom to seek, receive and impart information and ideas of all kinds**, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.

UNSC Res. 1389 (2002), p. 6: Notes with appreciation the ongoing support provided by the Public Information Section of UNAMSIL to the **National Electoral Commission in designing and implementing a civic education and public information strategy**, and encourages UNAMSIL to continue these efforts.

CCPR, GC 31, p. 7: [...] The Committee believes that it is important to **raise levels of awareness** about the Covenant not only among public officials and State agents but also among the population at large.

C CPR, GC 25, p.11: **Voter education and registration campaigns are necessary to ensure the effective exercise of article 25 rights by an informed community.** p. 12: Positive measures should be taken to overcome specific difficulties, such as illiteracy, language barriers, poverty, or impediments to freedom of movement which prevent persons entitled to vote from exercising their rights effectively. Information and materials about voting should be available in minority languages. Specific methods, such as photographs and symbols, should be adopted to ensure that illiterate voters have adequate information on which to base their choice. States parties should indicate in their reports the manner in which the difficulties highlighted in this paragraph are dealt with. p. 20: [...] **Electors should be fully informed of these guarantees.**

CRC/C/NOR/CO/4, Norway (2010), p. 25: [...] in line with article 29 of the Convention, to ensure that the pilot project on voting from the age of 16 is appropriately supported through the **provision of civic and human rights education** and that impact of the project on the citizenship role of adolescents is evaluated.

CRC/C/AUT/CO/3-4, Austria (2012), p. 28: While noting that the voting age was lowered from 18 to 16 years in 2007 and that the right to participation is protected in article 4 of the Federal Constitutional Law on the rights of children, the Committee recommends that the State party conduct research to monitor the impact of the lowering of the voting age and **educate children on the exercise of the right to vote in an effective manner.** The Committee also recommends that the State party take into account its General Comment no. 12 (2009) and take effective measures to implement the right of the child to participation in relevant matters arising under the Convention.

11.3 Are there provisions targeting civic and voter education for women?

Equality Between Men and Women; States Must Take Necessary Steps to Give Effect to Rights

CEDAW, Art. 7: States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, **on equal terms with men, the right:** (a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies; (b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government; (c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.

ICCPR, Art. 2(2): Where not already provided for by existing legislative or other measures, **each State Party to the present Covenant** undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to **adopt such laws or other measures as may be necessary to give effect to the rights recognized in the present Covenant.**

CEDAW, GR 3 (1987): [The Committee] urges all States parties effectively to **adopt education and public information programmes, which will help eliminate prejudices and current practices that hinder the full operation of the principle of the social equality of women.**

CEDAW/C/OMN/CO/1, Oman (2011), p. 32: The Committee calls upon the State party to: (c) **Develop training and mentoring programmes for women candidates and women elected to public office as well as programmes on leadership and negotiation skills for current and future women leaders.**

CEDAW/C/ETH/CO/6-7, Ethiopia (2011), p. 27: The Committee recommends that the State party: (d) provide **training on gender equality to politicians, journalists and decision makers, especially men, to enhance the understanding that the full, equal, free and democratic participation of women and men in political and public life is a requirement for the full implementation of the Convention.**

11.4 Are there provisions prescribing civic and voter education concerning minority rights?

States Must Take Necessary Steps to Give Effect to Rights

ICCPR, Art. 2(2): Where not already provided for by existing legislative or other measures, **each State Party to the present Covenant** undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to **adopt such laws or other measures as may be necessary to give effect to the rights recognized in the present Covenant.**

ICERD, Art. 5: In compliance with the fundamental obligations laid down in article 2 of this Convention, **States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction** as to race, colour, or national or ethnic origin, to equality before the law, **notably in the enjoyment of the** following rights: (c) Political rights, in particular the right to participate in elections—to vote and to stand for election—on the basis of universal and equal suffrage, to take part in the Government as well as in the conduct of public affairs at any level and to have equal access to public service; (v) **The right to education and training.**

ICCPR, Art. 26: All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the **law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination** on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

CERD/C/64/CO/5 (CERD, 2004), Nepal, p. 17: The Committee urges the State party to engage in efforts **to promote awareness among the general public, as well as among members of disadvantaged communities, of the importance of their active participation in public and political life.** The Committee recommends that the State party continue to enforce **special measures to guarantee to members of disadvantaged groups the right to participate in elections, to vote and stand for election, and to have due representation in government, legislative bodies and the judiciary.**

A/HRC/13/25 (Forum on Minority Issues, 2010), p. 23: States should **ensure that all mechanisms, procedures and institutions established to promote and increase the political participation of persons belonging to minorities take into account the specific needs of minority women,** as well as those of **other groups within minority communities potentially subjected to intersectional discrimination,** such as **minorities with disabilities.**

11.5 Are there provisions prescribing civic and voter education on the rights of persons with disabilities?

Right and Opportunity to Participate in Public Affairs

ICCPR, Art. 25: **Every citizen shall have the right and the opportunity,** without any of the distinctions mentioned in article 2 and without unreasonable restrictions: (a) **To take part in the conduct of public affairs,** directly or through freely chosen representatives.

CRPD, Preamble: The States Parties to the present Convention recognize the **importance of accessibility [...] to information and communication, in enabling persons with disabilities to fully enjoy all human rights and fundamental freedoms.** Definitions: 'Communication' includes languages, display of text, Braille, tactile communication, large print, accessible multimedia as well as written, audio, plain-language, human-reader and augmentative and alternative modes, means and formats of communication, including accessible information and communication technology.

CRPD, Art. 29: **States Parties shall** guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others, and shall undertake: b) **To promote actively an environment in which persons with disabilities can effectively and fully participate in the conduct of public affairs,** without discrimination and on an equal basis with others, and encourage their participation in public affairs, including: (i) Participation in non-governmental organizations and associations concerned with the public and political life of the country, and in the activities and administration of political parties; (ii) Forming and joining organizations of persons with disabilities to represent persons with disabilities at international, national, regional and local levels.

UNCAC, Art. 13(1): Each State Party shall take appropriate measures, within its means and in accordance with fundamental principles of its domestic law, to **promote the active participation of individuals and groups** outside the public sector, [...] in the prevention of and the fight against corruption and to raise public awareness regarding the existence, causes and gravity of and the threat posed by corruption. This participation should be strengthened by such measures as: (b) **Ensuring that the public has effective access to information.**

CCPR, GC 25, p. 11: States must take effective measures to ensure that all persons entitled to vote are able to exercise that right. p. 12: **Positive measures should be taken to overcome specific difficulties,** such as illiteracy, language barriers, poverty, or impediments to freedom of movement which prevent persons entitled to vote from exercising their rights effectively. **Information and materials about voting should be available** in minority languages. Specific methods, such as photographs and symbols, should be adopted to ensure that illiterate voters have adequate information on which to base their choice. States parties should indicate in their reports the manner in which the difficulties highlighted in this paragraph are dealt with. p. 20: Assistance provided to the disabled, blind or illiterate should be independent. Electors should be **fully informed** of these guarantees.

CRPD/C/PER/CO/1, Peru (2012), p. 44: The Committee remains concerned at: (b) the lack of information on measures taken in order to inform the persons with disabilities on the above-mentioned developments and prevent such violations from happening in the future. p. 45: The Committee recommends that the State party: (b) **Reach out to vulnerable individuals and protect people with disabilities from such violations in the future, including through relevant training.**

11.6 Are there provisions requiring public media airtime for voter information/ education?

States Must Take Necessary Steps to Give Effect to Rights

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UNCAC, Art. 13(1): Each State Party shall take appropriate measures, within its means and in accordance with fundamental principles of its domestic law, to **promote the active participation of individuals and groups outside the public sector, such as civil society, non-governmental organizations and community-based organizations**, in the prevention of and the fight against corruption and to raise public awareness regarding the existence, causes and gravity of and the threat posed by corruption. This participation should be strengthened by such measures as: (b) **Ensuring that the public has effective access to information**; (c) **Undertaking public information activities that contribute to non-tolerance of corruption, as well as public education programmes, including school and university curricula**; (d) **Respecting, promoting and protecting the freedom to seek, receive, publish and disseminate information concerning corruption**. That freedom may be subject to certain restrictions, but these shall only be such as are provided for by law and are necessary.

UNSC Res. 2065 (2012): [The Security Council] *urges* the Independent Media Commission to ensure compliance with the Media Code of Practice, and *emphasizes* the **need for media practitioners to remain committed to providing professional, independent, and factual coverage and to promoting public education and dialogue during the electoral period**.

CCPR, GC 25, p. 11: Voter education and registration campaigns are necessary to ensure the effective exercise of article 25 rights by an informed community. p. 12: **Positive measures should be taken to overcome specific difficulties**, such as illiteracy, language barriers, poverty, or impediments to freedom of movement which prevent persons entitled to vote from exercising their rights effectively. Information and materials about voting should be available in minority languages. Specific methods, such as photographs and symbols, should be adopted to ensure that illiterate voters have adequate information on which to base their choice. States parties should indicate in their reports the manner in which the difficulties highlighted in this paragraph are dealt with.

11.7 Are electoral laws and electoral materials translated into minority and local languages and made widely available?

States Must Take Necessary Steps to Give Effect to Rights; Freedom from Discrimination and Equality under the Law

ICCPR, Art. 2(2): Where not already provided for by existing legislative or other measures, **each State Party to the present Covenant** undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to **adopt such laws or other measures as may be necessary to give effect to the rights recognized in the present Covenant**.

ICCPR, Art. 26: **All persons are equal before the law and are entitled without any discrimination to the equal protection of the law.** In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

UNCAC, Art. 13(1): Each State Party shall take appropriate measures, within its means and in accordance with fundamental principles of its domestic law, to **promote the active participation of individuals and groups** outside the public sector, [...] in the prevention of and the fight against corruption and to raise public awareness regarding the existence, causes and gravity of and the threat posed by corruption. This participation should be strengthened by such measures as: (b) **Ensuring that the public has effective access to information**.

ICCPR, Art. 27: In those States in which ethnic, religious or linguistic minorities exist, **persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language**.

CCPR, GC 25, p. 12: **Positive measures should be taken to overcome specific difficulties, such as illiteracy, language barriers, poverty, or impediments to freedom of movement which prevent persons entitled to vote from exercising their rights effectively. Information and materials about voting should be available in minority languages.** Specific methods, such as photographs and symbols, should be adopted to ensure that illiterate voters have adequate information on which to base their choice. States parties should indicate in their reports the manner in which the difficulties highlighted in this paragraph are dealt with.

CERD/C/MUS/CO/15-19, Mauritius (2013), p. 20: The Committee requests the State party to ensure that **proper status is given to the languages spoken by the various groups of the population.** The Committee also calls on the State party to **eliminate language barriers to equality and to the enjoyment of civil and political rights** as well as economic, social and cultural rights, in particular the right to education.

A/HRC/13/25 (Forum on Minority Issues, 2010), p. 19: There should be **no prohibition or unreasonable restriction placed on the use of any minority language during election campaigns, although language use should naturally be determined by assessing how the broadest constituencies possible may be reached.** As far as possible, **electoral authorities should provide voting information in both the official language and those minority languages used by voters in the areas where they are concentrated.**

Resources

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Notes

- ¹ UN, 1994.
- ² International IDEA 2006, p. 67.
- ³ ECOWAS Supplementary Protocol, Art. 8. ACDEG, Art. 12 calls on states to integrate civic education into their educational curricula.