



COMESA ELECTION OBSERVER MISSION TO THE 21ST MAY 2019 TRIPARTITE ELECTIONS IN THE REPUBLIC OF MALAWI

PRELIMINARY STATEMENT

1. Introduction

1.1 In response to an invitation from the Government of the Republic of Malawi, the Common Market for Eastern and Southern Africa (COMESA) deployed a short-term Mission to observe the 21st May 2019 Tripartite Elections.

1.2 The COMESA Observer Mission is led by Madam Hope Kivengere, a member of the COMESA Committee of Elders. The Mission comprises observers from six COMESA Member States namely; Egypt, Kenya, Rwanda, Uganda, Zambia and Zimbabwe as well as technical staff from the COMESA Secretariat.

2. Mandate of the Mission

2.1 The Mission anchored its observation on the legal framework governing elections in the Republic of Malawi as well as regional, continental and international standards

on the conduct of democratic elections. Therefore, the observations and recommendations of the COMESA Election Observer Mission are based on the principles and standards for the conduct of democratic elections as enshrined in the aforementioned frameworks.

3. Deployment

3.1 Before deployment, the observers underwent a two-day refresher training on principles governing election observation, code of conduct for international observers and the COMESA data collection instruments.

3.2 The Mission deployed observers in all the three regions of Malawi namely Northern, Central and Southern to observe the electoral processes including voting and counting. In addition, the Mission interacted with various local and international electoral stakeholders on the elections.

4. Preliminary Findings

4.1 Cognisant of the fact that the tallying of election results is still on-going, this statement restricts itself to the **pre-election, voting day** events and the **counting** of votes at the **polling centers**.

4.2 A final report will be released within three months after the official announcement of the results.

5. General Observations

5.1 The Mission noted with satisfaction the level of confidence various stakeholders including political parties, have in the Malawi Electoral Commission (MEC). This is partly attributed to the robust and vibrant communication strategy adopted by MEC where any issues raised by stakeholders were addressed in a satisfactory and timely manner. All stakeholders the Mission interacted with appreciated the way MEC has been transparent in handling the electoral process.

5.2 Specifically, the establishment of the National Elections Consultative Forum (NECOF) provides a platform for discussion and consensus building on pertinent issues that relate to elections. The Mission was also informed that the Multi-Party Liaison Committees (MPLCs) were established to provide a platform for dialogue and the resolution of inter-party disputes at grassroots levels.

6. Election Campaign

6.1 The Mission noted that the campaigns lasted for a period of two months from 19th March to 19th May 2019 in line with the laws governing election campaign in the Republic of Malawi.

6.2 Generally, the Mission noted that the political campaigns were conducted in a peaceful environment. All

the candidates had the opportunity to campaign freely in all the regions without any hindrance. However, the Mission regrets that some isolated cases of violence, hate speech and destruction of campaign materials were reported.

6.3 The Mission also noted that most of the political parties signed a code of conduct to uphold peace before, during and after elections.

7. Voter Registration and Voters' Roll

7.1 The Mission noted that MEC introduced a new registration system using national identity cards and a new biometric voter registration was conducted for all eligible voters.

7.2 The Mission acknowledges the efforts made by MEC to ensure that all voters were registered in the stipulated time frame but noted that there was a reduction of the total number of registered voters as compared to 2014.

8. Civic and Voter Education

8.1 The Mission was informed by MEC of its efforts to conduct extensive voter and civic education through various platforms. The Mission also noted that MEC accredited a number of providers for civic education who were deployed at constituency level.

8.2 Despite the efforts made by MEC to reach out to the voters through civic and voter education, the Mission notes that more needs to be done to enhance voter awareness on the critical aspects of the electoral process.

9. Key Polling Day Observations

10. Gender and Youth Participation

10.1 Despite not having any female presidential candidate, the Mission commends the participation of women candidates in parliamentary and local elections.

10.2 In addition, the Mission observed the high number of women who were polling staff and an equally high number that turned out in various polling centers to exercise their democratic right to vote. Youths also participated as party/candidate monitors as well as polling Officials

11. Party/ Candidate Monitors

11.1 In all the polling stations that the Mission visited, there was a significant presence of monitors for political parties and independent candidates.

11.2 The monitors the Mission interacted with informed the various COMESA Observers that the voting process went on smoothly and they were no major complaints. The few complaints that were raised were resolved by MEC.

The voters equally indicated that the process was orderly and calm.

12. Opening of Polling Centers

12.1 The Mission observed with satisfaction the level of transparency and professionalism exhibited by MEC staff at various polling centers in carrying out their duties. In all the polling centers visited by our observers, the opening procedures were duly followed as prescribed by the electoral laws to ensure transparency. The Mission also observed that most polling centers were clearly marked for easy identification.

12.2 The electoral materials were adequately available for the smooth running of the voting process. In instances where there were shortages, arrangements were promptly made and the materials delivered without disrupting the voting process.

12.3 Generally, most polling centers opened on time with exception of a few. The few that opened late for various reasons compensated for that time. Despite this, voting progressed efficiently.

13. Voting

13.1 In most polling stations, voting went on smoothly. However, in some instances some voters especially students who wanted to vote at polling centers where they

had not registered, were not allowed to vote (for example, Mponda Primary School in Balaka), whilst other registered voters could not find their names on the voter register. For example, at Njewa polling center in Machenga ward some voters had registration certificates but their names were not in the register.

13.2 The Mission further noted that in some instances, voters were turned away from polling centers. This was due to either non-registration or visiting a wrong polling center or not having authorization to vote away from the polling centers the voter registered in.

13.3 During voting, the Mission observed that polling officials extended assistance to the physically challenged, the elderly, expectant mothers and mothers with small children.

14. Presence of security personnel

14.1 Visible presence of security personnel was observed by the Mission in all the centers visited. The security personnel conducted themselves in a professional manner without interfering with the electoral processes. Observers had full access to polling centers and were welcomed by all stakeholders.

15. Closing and Counting

15.1 The closing of polling stations was conducted according to the laid-down electoral procedures. The

counting procedures were conducted in the presence of monitors and observers. The Mission notes that MEC is still in the process of verifying and collating results from different polling centers. COMESA will continue to observe the process until the final results are announced.

16. Best Practices from the Malawi 2019 tripartite elections

COMESA Observer Mission notes and appreciates the following best practices:

- i. The use of External Auditors to verify the results transmitted from various polling centers before they are tallied and endorsed by MEC. This enhances transparency and accountability on tabulation of results.
- ii. As opposed to the 2014 elections, the adoption of the biometric voter registration in the 2019 elections enhanced the quality of the voter register.
- iii. The use of Short Messaging Services (SMS) to verify voter registration status as well as the identification of the polling centers enhanced voter verification and easy identification of polling centers, thus ensuring an easy and smooth voting process.

- iv. The establishment of the National Elections Consultative Forum (NECOF) promoted consensus among electoral stakeholders which in the long run was critical in building trust between MEC and the electoral stakeholders. In addition, the Multi-Party Liaison Committees (MPLCs) were also important in conflict resolution.

17. Key Preliminary Recommendations:

- i. While the Government issued a directive that employers should allow employees time to go and cast their votes, the Mission recommends that in future elections, the Government may consider declaring the voting day a public holiday as this allows voters ample time to vote;
- ii. While the Mission acknowledges the efforts made by MEC in collaboration with accredited civil society organizations in conducting voter and civic education, more effort is still needed especially in the rural areas;
- iii. The Mission noted the directive by MEC to allow specific categories of persons to vote in centers they did not register. The Mission is of the view that such a decision should be made and communicated well in advance to avoid

the confusion experienced in some polling centers during voting.

18. Conclusions

18.1 The Mission takes note and appreciates that the Malawian people came out in large numbers in various polling centers to exercise their democratic right through the ballot. This clearly demonstrated the level of enthusiasm the Malawians had in the Tripartite Elections.

18.2 As MEC continues with the tallying process, the Mission urges all the people of Malawi and other stakeholders to exercise patience, remain calm and wait for the final announcement of the results. In the event of any disputes, the Mission urges the concerned parties to resort to the established legal channels.

18.3 The Mission wishes to congratulate all Malawians for turning out in large numbers to exercise their democratic right to vote, and for ensuring that the process was peaceful.

18.4 Finally, the Mission wishes the Government and People of the Republic of Malawi continued peace and prosperity.

Madam Hope Kivengere

***Head of COMESA Election Observation Mission to the
Republic of Malawi's 2019 Tripartite Elections
Lilongwe, Malawi
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