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AFRICAN UNION

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AFRICAN UNION ELECTION OBSERVATION MISSION TO THE 21 May 2019  
TRIPARTITE ELECTIONS IN THE REPUBLIC OF MALAWI

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FINAL REPORT



Views expressed in this report are those of the African Union Election Observation Mission which is an independent constituted mission and do not in any way represent the official positions of the African Union Commission.

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## **ACKNOWLEDGEMENTS**

The African Union Election Observation Mission (AUEOM) to the Republic of Malawi expresses its appreciation to the various stakeholders and institutions whose support and cooperation contributed to the success of the Mission.

The AUEOM is particularly grateful to the Government of Malawi and the Malawi Electoral Commission (MEC) for their assistance during the Mission.

The AUEOM appreciates the valuable leadership of its Head of Mission, His Excellency John Dramani Mahama, former President of the Republic of Ghana.

Finally, the Mission appreciates the dedication of its technical team from the African Union Commission, the Pan African Parliament (PAP) and the Electoral Institute for Sustainable Democracy in Africa (EISA), as well as the commitment of its observers, whose diligent reporting on the electoral process was crucial to the success of the AUEOM.

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## ABBREVIATIONS/ACCRONYMS

ACDEG	African Charter on Democracy, Elections and Governance
AFORD	Alliance for Democracy
APAM	Association of People with Albinism in Malawi
AU	African Union
AUC	African Union Commission
AUEOM	African Union Election Observation Mission
BVR	Biometric Voter Registration
CMD	Centre for Multi-party Democracy
CONGOMA	Council for Non-Governmental Organizations in Malawi
CSOs	Civil Society Organisations
CVE	Civic & Voter Education
DEPECO	Democratic People's Congress
DPP	Democratic Progressive Party
EBCC	Election Broadcasts Complaints Committee
ECA	Electoral Commission Act
FPTP	First Past the Post
ID	Identification Document
IDP	Internally Displaced Persons
IT	Information Technology
MACRA	Malawian Communications Regulatory Authority
MAEF	Malawi Editors Forum
MCP	Malawi Congress Party
MDF	Malawi Defence Force
MEC	Malawi Electoral Commission
MESN	Malawi Electoral Support Network
MESN-II	Mtendere Election Support Network - II

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MISA	Media Institute for Southern Africa
MMD	Mbakuwaku Movement for Development
MOU	Memorandum of Understanding
MPLC	Multi Party Liaison Committee
MPS	Malawi Police Service
MUB	Malawi Union for the Blind
NASAF	National Salvation Front
NDI	National Democratic Institute
NECOF	National Elections Consultative Forum
NICE	National Initiative for Civic Education
NRB	National Registration Bureau
OMR	Optical Mark Recognition
PAC	Public Accounts Committee
PAM	Pre-election Assessment Mission
PETRA	Peoples' Transformation Party
PP	Peoples Party
PVT	Parallel Vote Tabulation
PWDs	People with Disabilities
SMS	Short Message Service
TPM	Tikonze Peoples Movement
UDF	United Democratic Front
UN	United Nations
UNDP	United Nations Development Programme
UP	Umodzi Party
UTM	United Transformation Movement

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## EXECUTIVE SUMMARY

Malawi held its Tripartite Elections (presidential, parliamentary and local government) on 21 May 2019. With the first-past-the-post rule, the Malawi Electoral Commission (MEC) on 27 May 2019, declared the incumbent president, Professor Arthur Peter Mutharika of the Democratic Progressive Party (DPP) as winner of the presidential polls on 28 May with 38.57%.

In line with its mandate of promoting democratic elections and sustainable governance in its Member States, the African Union deployed a pre-election assessment mission (PAM) to the Republic of Malawi from 3 to 9 March 2019 to assess the state of preparedness of the MEC and relevant stakeholders and to confirm whether conditions existed for the conduct of peaceful, free, fair and transparent elections. Based on the recommendations of the PAM, the AU deployed seven (7) long-term observers (LTOs) from 29 April 2019 and remained in the country until 4 June 2019. Before the Election Day, the AUC also deployed twenty-two (22) short-term observers (STOs) from 14 – 27 May to observe the voting process.

This report presents the African Union Election Observation Mission (AUEOM)'s overall and final assessment of the 2019 Tripartite Elections in Malawi. The report contains detailed findings and recommendations for improvement of future elections and the deepening and sustenance of democratic election in Malawi.

Below is a summary of the Mission's key findings, conclusion and recommendations:

### ***Key Findings***

- The 21 May 2019 Tripartite Elections were the 6<sup>th</sup> multiparty elections since 1994 when Malawi adopted multi-party democracy. The general political environment was relatively calm as political parties and their candidates held peaceful campaigns though with isolated incidents of violent clashes between supporters of the leading parties. Despite initial misgivings from some political actors on the perception that the MEC Chairperson could be compromised having served previously as Attorney General in the ruling party, majority of the stakeholders expressed satisfaction and high confidence in the preparedness of the MEC to conduct free, fair and credible elections in comparison to the 2014 Tripartite Elections.

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- For the first time since the country adopted multiparty democracy, the 2019 elections were predominantly funded by the State (above 80% with UNDP funding about 15%) unlike previous elections when the budgets were mainly funded by development partners.
- The 1994 Constitution of Malawi with amendments through 2017, the 1998 Electoral Commissions Act (ECA), the 1993 Parliamentary and Presidential Elections Act (PPEA), the 2018 Political Parties Act, the 1996 Local Government Elections Act and the 1998 Local Government Act were the main legal framework which governed the 2019 Elections. Stakeholders commended in particular the passage of a new legislations, the Political Parties Act No. 1 of 2018 and the Communications Act, (2016) ahead of the elections. Majority of the stakeholders however regretted the failure of Parliament in February 2017 to enact the Electoral Reforms Bill that would have reviewed and consolidated all electoral laws. The AUEOM concluded that despite these limitations<sup>1</sup>, stakeholders were of the view the existing laws were adequate to regulate the conduct of a credible election, if they were adhered without bias.
- Stakeholders expressed satisfaction with the manner in which the MEC conducted the voter registrations exercise. However, some stakeholders complained about the phased approach employed in the registration exercise and the lack of effective publicity and sensitization on the new system of voter's cards/certificate. The MEC relied on the biometric data already captured by the National Registration Bureau (NRB) through the National ID programme. Some stakeholders were of the view that a considerable number of eligible citizens may not have been aware that they needed the National ID before they could register for the voter's certificate. Despite this challenge, the MEC registered 6,859,570 voters against a projection of 8,525,538, representing 80%.
- Election campaigns were conducted freely without undue restrictions and in a largely peaceful manner with isolated incidents of violence reported. Most of the campaign finances were from the political party leaders, well-wishers and membership contributions.
- There was a significant underrepresentation of women, persons living with disabilities and youth at all levels of elective positions and nominations by parties

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<sup>1</sup> Such as the simple majority electoral system; the contentious floor crossing law (Section 65); among others.



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including Presidential, Parliamentary and Local government. In the rallies and political activities observed, women and youth were actively engaged but more in the mobilisation of supporters and not occupying leadership positions. The MEC reduced registration fees for women, youth and people living with disabilities for the first time in the 2019 Tripartite Elections. They also made it a point that people living with disabilities were not to queue on polling day.

- The state-owned media, both print and electronic, were perceived to be consistently biased in favour of the ruling party. The stakeholders mainly the opposition parties and some civil society organisations complained about the low and disproportionate coverage of their activities. This is contrary to what is stipulated in the Electoral Laws. However, some media houses<sup>2</sup> mostly private, were commended for opening up the space for all political parties and candidates.
- A number of polling stations opened after the stipulated time. The MEC however allowed for every voter to cast their ballots to ensure adherence to the 12-hour voting period. For instance, if the polling station opened at 6.30 am, it would close at 6.30 pm. Voting went on smoothly even though there were notable inconsistencies in how some of the presiding officers implemented the MEC's directives such as the "Authority to Vote Elsewhere"<sup>3</sup>. There were delays in closing procedures as polling staff had to relocate materials to closed spaces. Reconciliation was a key challenge in the result management process.
- Before the declaration of the presidential results, the Malawian Congress Party (MCP), the leading opposition party which garnered 35.41% of the votes went to court seeking to compel the MEC not to announce the presidential results until all the complaints had been resolved and a recount of disputed results from some districts had been done. A request that the court initially granted, but was later overturned after the MEC appealed against the initial decision. Following the declaration of the incumbent president as the winner, the leading opposition party, the MCP filed a complaint at the High Court challenging the results.

### **Conclusion**

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<sup>2</sup> Zodiac Radio and TV, as well as the Private-Owned Nation Newspaper (which had devoted an 8 paged Pull-Out to Voter Education).

<sup>3</sup> This public notice authorizes Political party and independent candidates, roving monitors and roving observers from Non-state Actors; drivers and personal assistants accompanying observers and monitoring teams to vote upon production of the voter certificate and "Authority to Vote Elsewhere".

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Following its observations and findings, and notwithstanding some of the logistical challenges, isolated violent incidents observed before and during the election, the AUEOM considered that the 21 May Tripartite Elections were conducted in accordance with the laws of Malawi. Though, the elections took place in a peaceful, transparent and orderly manner, and thus met national, regional, continental and international standards for democratic elections despite the court petitions that ensued after the declaration of the presidential election result.

The AUEOM made the following key recommendations for improvement of future elections in Malawi:

### ***The Executive and the Legislature***

- Review and allocate adequate resources to enable the MEC to ensure the disbursement of election materials, civic and voter education activities and all other important activities of the electoral process are sufficiently catered for;
- Provide adequate resource for the Office of Registrar of Political Parties to handle political parties' disputes referred to it; and
- Review the legislative framework for elections in Malawi in order to harmonize all existing laws.
- Ensure the director generals and the board members of the Malawi Broadcasting Corporation (MBC) and the Malawi Communications Regulatory Authority (MACRA) are appointed by the National Assembly to further guarantee their independence.

### ***The Malawi Electoral Commission***

- Increase the number of days for the training of polling officials to strengthen their capacity for a better understanding of the general rules and procedures of the electoral process;
- Provide additional training to polling officials on closing and counting procedures and reconciliation; and
- Ensure that there is adequate the safety and light of the voting centres and the counting of votes.

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## ***Political parties***

- Provide adequate training for party monitors on the electoral process especially on rules and procedures of closing and counting;
- Increase women's participation by adhering to the Gender Equality Act (2013) in order to enhance women's participation in the electoral processes especially in leadership position and also as candidates;
- Adhere to the political party code of conduct to promote a conducive environment for the conduct of free, fair, transparent and credible elections; and
- Promote intra and inter party tolerance and before, during and after the elections.

## ***The security agencies***

- Review training of security personnel to ensure that they clearly understand their roles and responsibilities in the administration and management of polling stations especially on voting day.

## ***The media***

- Ensure the public broadcaster guarantees universal accessibility and balanced coverage for all political parties, especially during an election campaign period;
- Ensure the independence and impartiality of the broadcasting regulatory body;
- Operationalize the Access to Information Act; and
- Develop a media toolkit, to guide media practitioners in the implementation of the code of the conduct and to serve as a benchmark for monitoring compliance.

## ***Civil Society***

- Work closely with the MEC to strengthen and enhance civic and voter education efforts;

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- Mobilize adequate resources to conduct a full parallel vote tabulation exercise instead of the sampled approach as a result funding constraint; and
- Support the campaign for increased and active engagement of women in the electoral process most especially as candidates.

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## I. INTRODUCTION

At the invitation of the Government of the Republic of Malawi and the Malawi Electoral Commission (MEC), the Chairperson of the African Union Commission (AUC), His Excellency, Moussa Faki Mahamat, deployed an African Union Election Observation Mission (AUEOM) to the Tripartite Elections held on 21 May 2019 in Malawi. The Mission was headed by His Excellency, John Dramani Mahama, and former President of the Republic of Ghana and comprised seven long-term observers (LTOs) and 22 short-term observers (STOs). The observers were drawn from the Pan-African Parliament (PAP), Ambassadors to the African Union, Election Management Bodies (EMBs), Civil Society Organisations (CSOs) and independent experts from 20 African countries.<sup>4</sup> The Mission was supported by a technical team drawn from the AUC, PAP and the Electoral Institute for Sustainable Democracy in Africa (EISA).

The AUEOM's mandate to observe the 21 May 2019 Tripartite Elections is in conformity with the relevant provisions of the 2007 African Charter on Democracy, Elections and Governance (ACDEG),<sup>5</sup> the 2002 Declaration on the Principles Governing Democratic Elections in Africa, the 2002 African Union Guidelines for Election Observation and Monitoring Missions, the 1981 African Charter on Human and People's Rights (ACHPR) and the 2003 Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa; as well as other relevant regional and international benchmarks for democratic elections and the legal framework for the conduct of elections in Malawi. The AUEOM's assessment of the electoral process is based on the principles and standards for the conduct of democratic elections as enshrined in the aforementioned AU instruments. Its methodology is in line with the principles endorsed in the 2005 Declaration of Principles for International Observation (DoP).

In line with its mandate stipulated in the aforementioned instruments, the main objectives of the AUEOM were to: (i) provide an independent, objective and impartial assessment of the preparations and conduct of the 2019 Tripartite Elections; (ii)

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<sup>4</sup> Botswana, Cameroon, Central African Republic, Ethiopia, Ghana, Kenya, Lesotho, Mozambique, Nigeria, Sahrawi Republic, Seychelles, Sierra Leone, South Africa, Sudan, Swaziland, Tanzania, The Gambia, Uganda, Zambia and Zimbabwe.

<sup>5</sup> The AUEOM notes that Malawi is yet to sign or ratify the Charter,

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assess the extent to which the elections complied with Malawi's legal framework, as well as regional, continental and international principles for democratic elections to which Malawi is signatory; (iii) offer recommendations for improvement of future electoral processes and contribute to the consolidation of peace and stability in Malawi; (iv) demonstrate the African Union's solidarity and support for Malawi's democratic and electoral processes.

To achieve these objectives, the following activities were undertaken:

- Deployment of a pre-election assessment mission (PAM) from 3 to 9 March 2019. The PAM assessed the conduciveness of the pre-election context for the conduct of democratic elections and the preparedness of the MEC and relevant stakeholders. The PAM consulted a number of stakeholders including the judiciary, the MEC, political parties, CSOs - including minority rights advocacy groups, the media, and security agencies.
- Deployment of a team of seven (7) LTOs from 29 April 2019 to 4 June 2019. During their deployment, LTOs consulted relevant stakeholders to gain more insights and contribute to the AUEOM's assessment of the pre and post-election context.
- The LTOs were joined by a team of 22 STOs from 14 to 27 May 2019. The STOs underwent an intensive 2-day orientation programme during which they received briefings from electoral stakeholders including: the MEC, political parties, candidates, security agencies, media, civil society groups and election experts. On 19 May 2019, STOs and LTOs were deployed in 15 teams to the three regions of the country, covering a total of 18 districts on Election Day.
- The AUEOM leadership also held high-level consultations with electoral stakeholders. They include the MEC led by the Chairperson Dr. Jane Ansah; Prof. Arthur Peter Mutharika, incumbent president and presidential candidate for Democratic Progressive Party (DPP), Dr. Lazarus Chakwera, the presidential candidate of the Malawi Congress Party (MCP); Representatives of Dr. Saulos K. Chilima of United Transformation Movement (UTM) led by Dr. Patricia Kaliati, General Secretary of the party; Mr. Atupele Muluzi, presidential candidate for United Democratic Front (UDF) and his team; the Umodzi Party led by its presidential candidate Prof. John Eugene Chisi; and Rev. Hadwick Kaliya, Independent Presidential candidate. Other stakeholders included the Malawi Police Service and the Malawi Law Society. The AUEOM leadership also coordinated its efforts with other international election observer groups in the country by hosting a pre-election coordination meeting of international observer missions in Blantyre on 19 May 2019. It also attended

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the post-election coordination meeting hosted by the Commonwealth Observer Group in Blantyre on 22 May 2019.

- On Election Day, AU observers visited 157 polling stations to observe the opening, voting, closing and counting procedures.

This final report of the AUEOM presents an overall assessment of the 2019 electoral process in Malawi. The report aggregates the findings the 2019 pre-election assessment and observations on polling day and the immediate post-elections developments.

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## II. BACKGROUND TO THE TRIPARTITE ELECTIONS

The 6<sup>th</sup> multiparty elections were held to elect a president, 192 members of the National Assembly and 462 ward councillors for local government. Parliamentary election did not hold in Lilongwe South constituency as a result of the death of the candidate Agnes Penumulungu few weeks before the election. In accordance with the law, a by-election will be organised at a later date.

The lead up of the elections, similar to the 2014 elections, there was a fallout between President Peter Mutharika and his Vice President, Saulos Chilima, who broke away from the ruling DPP to establish the UTM. The formation of the UTM as in previous elections led to floor-crossing by some Members of the National Assembly to the UTM. Vice-President Chilima remained in office whilst campaigning as the presidential candidate of the UTM.

After the 2014 elections, a national task force on electoral reforms (the Task Force) drawn from MEC, Malawi Electoral Support Network (MESN), National Initiative for Civic Education (NICE) and the Public affairs committee (PAC) was formed and tasked to develop proposals for electoral reforms. The report of the Task Force released in 2017 informed the Law Commission's report and two draft bills: the electoral reform and referendum bills. When the bills were tabled before the Parliament of Malawi, the referendum bill was passed but the electoral reform bill was rejected.<sup>6</sup>

About two months to the elections, Malawi was hit by flooding and heavy rains caused by cyclone Idai. This led to the destruction of property and displacement of several households causing the death 60 people and displacing nearly 90,000 households in 15 districts. Some of the people affected lost the voter registration cards and IDs<sup>7</sup>. The cyclone also impacted the minimal infrastructure that was available in the country, making some areas inaccessible, thus complicating electoral preparations and operations. However, the country was able to overcome the impact of the flooding before the election making it possible for citizens earlier affected to vote on Election Day.

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<sup>6</sup> See The Nyasa Times: <https://www.nyasatimes.com/parliament-passes-refrendum-bill-rejects-malawi-electoral-commission-bill/> accessed 20/4/2019

<sup>7</sup> <https://www.voanews.com/africa/malawis-election-preparations-impacted-cyclone-idai-flooding>



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Seven candidates including the incumbent president and vice president contested the presidential elections. Former President Joyce Banda of the PP who initially announced her intention to contest the elections later withdrew her candidacy and joined Dr. Lazarus Chakwera of the MCP. The Parliamentary elections were contested by 1,329 candidates (295 women and 1,034 men) who had their nominations confirmed. For the Local Government elections, 2,709 nominees were confirmed (645 women and 2,064 men).

The political dynamics in the 2019 elections was reconfigured away from the familiar regional base of party politics. This reconfiguration was as a result of the divisions and split in some of the major political parties in the run up to the elections. For instance, the sitting Vice President and a cabinet Minister who left the ruling part to contest against the sitting president in the Presidential Election.

The pre-election context was largely peaceful and open to competition by all political parties. All presidential candidates signed the code of conduct and peaceful campaigns and rallies held across the country with isolated incidents of violence as reported to the AU observers prior to Election Day.

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## III. PRE-ELECTION OBSERVATION

### a. The Legal Framework

The legal framework is fundamental for the conduct of a genuine electoral process. The 2019 Tripartite elections in Malawi were conducted under the following legal instruments including 1994 Constitution of Malawi with amendments through 2017, the 1998 Electoral Commissions Act (ECA) , the 1993 Parliamentary and Presidential Elections Act (PPEA) , the 2018 Political Parties Act and the 1996 Local Government Elections Act. Other regulations that were the codes of conduct for Political Parties and Candidates, International Observers and the Electoral Code of Conduct for Chiefs.

- ***The 1994 Constitution (amended) 2017:*** The Constitution of Malawi recognises fundamental human rights and freedoms<sup>8</sup> that are essential for democratic elections. It further establishes universal adult suffrage.<sup>9</sup> It stipulates the eligibility criteria for participating in electoral process including the right to vote and universal suffrage.<sup>10</sup> The Constitution also, inter alia, created the Malawi Electoral Commission<sup>11</sup> and specifically empowers it to conduct free, fair and credible elections and to promote public awareness of the electoral matters through the media and other effective means and to conduct civic and voter education.<sup>12</sup>
- ***Electoral Commission Act No.11 of 1998:*** The Electoral Commission Act provides for the appointment, functioning and financing of the Malawi Electoral Commission which is established in the Constitution.
- ***Parliamentary and Presidential Elections Act No. 10 of 1998:*** The Parliamentary and Presidential Elections Act (PPEA) regulates the conduct of parliamentary and presidential elections in Malawi. It's provisions cover areas such as; voters' registration, the holding of general elections and by-elections,

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<sup>8</sup> Sections 15-46.

<sup>9</sup> Section 77(5).

<sup>10</sup> Section 77(1-2).

<sup>11</sup> Section 75.

<sup>12</sup> <http://aceproject.org/ace-en/topics/lf/annex/lfc/malawi-the-role-of-the-emb-in-electoral-reform>

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campaigns, determination of results of the elections, election petition, international observers, complaints and appeals and offences and penalties. This Act mandates the Electoral Commission to announce the results of Parliamentary and Presidential Elections within 8 days after the completion of polls.<sup>13</sup>

- ***Political Parties Act No. 1 of 2018:*** This is the principal legislation that regulates the registration, deregistration and functioning of political parties in Malawi. In accordance with democratic norms, the Act gives the freedom to all persons to form a political party, cease to be a member of a political party, and not to be compelled to join or to belong to a party<sup>14</sup>. The Office of the Registrar established by the Act and headed by a Registrar oversees the implementation of this Act. It among other things prohibits hand-outs (vote buying) during campaigns; with offenders liable to a fine of Malawi Kwacha 10.000.000 (13,165.00USD) and imprisonment for five years.<sup>15</sup>
- ***Local Government Elections Act No. 24 of 1996:*** The Local Government Elections Act regulates the conduct of Local Council elections in Malawi. The Act among other things regulates registration of voters, nomination of councillors, campaigns, polling stations, the voting process and complaints and appeals.
- ***The Communications Act, (2016):*** This Act mandates the MEC to establish ahead of each election, an “Election Broadcasting, Monitoring and Complaints Committee (EBMCC)” in collaboration with MACRA and chaired by the MEC. It also provides the avenue for the resolution of election related complaints against licensed broadcasters.

The AUEOM noted that, while the Malawi Constitution provides bill of rights, it does not include provisions on affirmative action to achieve gender equity and equal participation of youth and other vulnerable groups in the electoral process. The AUEOM also noted that having the legal framework in different pieces of legislations poses a challenge to the citizens to easily access and fully understand the legal underpinnings of the electoral system.

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<sup>13</sup> Section 99

<sup>14</sup> Section 3(b)

<sup>15</sup> Section 41(1)(2)(3) of the Political Parties Act

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The AUEOM is aware of the attempts made after the 2014 Tripartite Elections to harmonize the electoral laws of Malawi in order to address weakness in the legal framework identified by various stakeholders. A National Task Force on Electoral Reforms was established to serve as a platform for the formulation of a comprehensive legal and electoral reform agenda. The Task Force submitted its report to the Law Commission which compiled the electoral laws that required enactment by Parliament. The proposed legislations consisted of (i) the Constitution Amendment Bill, (ii) the Electoral Management Fund Bill, (iii) the Presidential, Parliamentary and Local Government Elections Bill (which sought to consolidate all legislations that have bearing on elections into one Act), (iv) the Assumption of Office of President (Transitional Arrangements) Bill, and (v) the Referendum Bill.

Among the issues these legislations sought to address were the harmonization and consolidation of electoral laws into one, the introduction of the 50%+1 electoral system for Presidential and the floor-crossing law (Section 65), and to provide for guarantee for women representation in the electoral system, among others. However, electoral reform bills were tabled before the Parliamentary, they were rejected on the technical grounds that bills of such national importance could not be presented by as a private members bill. The AUEOM believes that the proposals contained in these draft bills still remain critical to the consolidation of democracy and should be revisited by the incoming National Assembly.

Notwithstanding the fact that most of the proposed amendments were not passed before the elections, the AUEOM noted that the following legislations were passed before the 2019 elections:

- The Communications Act (2016) which mandates the MEC to establish ahead of each election an “Election Broadcasting, Monitoring and Complaints Committee (EBMCC) in collaboration with Malawi Communication Regulatory Authority (MACRA), and chaired by MEC;
- The Political Parties Act (2018) which regulates the registration, financing and functioning of political parties, including the prohibition of ‘hand-outs’ or vote buying; and
- The Electoral Code of Conduct for Political Parties (2019) which provides a guide on how electoral stakeholders should conduct themselves, including expected behaviours as well as behaviours that should be avoided in order to promote democratic, credible and peaceful elections.

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## ***The Electoral System***

The Electoral system in Malawi is a first-past-the post, simple majority system, which requires that candidates that obtain the highest number of votes are duly elected as stipulated in section 95 of the Presidential and Parliamentary Elections Act. The country is a single constituency for purposes of the presidential election. With regards to the parliamentary and local government elections, the MEC has divided the country into electoral units in accordance with electoral laws of the country.

While the AUEOM does not prejudice one electoral system over the other, it noted in its consultation with stakeholders, that the simple majority system for presidential election remained an area of concern. Stakeholders were of the opinion that an absolute majority system could further strengthens the legitimacy of the elected president as she or he would have indeed been elected by the majority of voters. Stakeholders proposed 50% + 1 threshold to determine the winner of presidential elections. The AUEOM observed that the question of the absolute majority system was one of the most contentious issues raised during the debates on electoral reforms. The Mission also noted that the electoral system does not make special provisions to encourage the active representation of disadvantaged groups such as women, youth, persons living with disability (PLWDs) and other minority groups.

The AUEOM in its assessment of the legal framework for the conduct of elections in Malawi, is of the view that notwithstanding the gaps identified, they are largely in conformity with international standards, and serve as the basis for the conduct of credible elections if they were adhered electoral stakeholders.

## **b. Election Management**

### ***(i) The Malawi Electoral Commission***

The establishment of an independent and impartial Electoral Management Body (EMB) with the mandate to conduct free, fair, transparent and credible elections in accordance with national and international laws and best practices is fundamental in ensuring the integrity of the electoral process.<sup>16</sup> In Malawi, the body mandated by the

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<sup>16</sup> Article 17 (1) of the African Charter on Democracy, Elections and Governance underscores the importance of the establishment and strengthening of independent and impartial national electoral bodies responsible for the management of elections.

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Constitution to conduct all public elections and referendum is the MEC.<sup>17</sup> It is comprised of the Chairperson and six Commissioners, who have a renewable tenure of four years<sup>18</sup>. The chairperson is appointed by the President of the Republic upon recommendation by the Judicial Service Commission. He / She should be a sitting judge, usually of the Court of Appeal. The commissioners are also appointed by the President of the Republic after consultations with political parties represented in the National Assembly. At the operational level, the MEC has its secretariat in Blantyre with regional offices in Lilongwe and Mzuzu for the central and northern regions respectively. At district level, the MEC does not have its own structures. As a result, election officers co-locate at the Local Council offices with District Commissioners having oversight responsibilities with regards to elections management at this level, an arrangement that could affect the operational efficiency and the independence of the MEC at the district level.

The MEC's funding is as appropriated by parliament and also from grants by donor partners. All funds are managed by the Commission through the creation of bank accounts.<sup>19</sup> For the tripartite elections, the Malawi government took a positive step to fund a substantial part of the electoral budget with minimal support from development partners.

Some stakeholders consulted during the mission expressed concerns about the mode of appointment of the commissioners of the MEC, arguing that their appointment by the president without public participation could affect their independence.

### **(ii) Preparedness of the Malawi Electoral Commission**

To facilitate easy access to polling stations, the MEC increased the number of polling stations from 4,445 in 2014 to 5,002 in 2019, with a stream or a line having a maximum of 800 voters. Thus 11,095 polling streams in 5,002 polling stations within 462 wards and 193 constituencies with satellite polling stations established across the country including in prison facilities.

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<sup>17</sup> Section 75 of the Constitution of the Republic of Malawi, Parliamentary and Presidential Elections Act of 1998, the Local Government Elections Act of 1996 and the Electoral Commission Act of 1998.

<sup>18</sup> The current members of the commission are the Chairperson, Justice Dr. Jane Mayemu Ansah SC; Commissioners: Dr. Mrs. Jean Mathanga, Dr. Mastern Foster Moffat Banda, Reverend Dr. Killion Mgawi, Ms. Linda Kunje, Bishop Mary Nkos, Mrs. Elvey Kalonga Mtafu.

<sup>19</sup> Part VI of the Electoral Commission Act.

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The MEC recruited and trained district elections clerks including constituency returning officers, presiding officers and assistant presiding officers, and other polling staff in polling and counting procedures. Trainings were also conducted for constituency stores assistants focusing on the handling of polling materials; and constituency tally centre clerks focusing on result transmission. Although the training of all polling staff was generally a success, the AUEOM noted with concern that some of the trainees were likely to face challenges in fully understanding the training materials due to English literacy levels. The team observed this during the training of constituency stores assistants in Lilongwe and the briefings for polling clerks by presiding officers and assistant president officers.

Since the MEC did not have the relevant infrastructure nationwide to manage all electoral activities, it relied on other institutions for logistical support. For its operation, the MEC mobilised vehicles from the Police, Military and Prison Services and other Government, Departments and Agencies to support the distribution and retrieval of the electoral materials. For polling stations on islands and riverine areas, the MEC hired engine powered boats for transporting materials whilst head loaders were contracted to carry materials in areas that were not accessible by any means of transportation as it did during voter registration. All non-sensitive and sensitive materials were distributed to the constituencies as scheduled and these materials were stored at the constituency tally centres which served as constituency stores. The MEC ensured that materials were distributed to the polling stations and verified by the presiding officers two days before polling day.

To enhance transparency and accountability in the electoral process, an accurate tabulation of votes cast is crucial in ensuring that every vote counts. Against this backdrop, the MEC developed procedures to ensure a successful results management and established 197 tally centres at constituency level with support from the National Registration Bureau (NRB) for the use its equipment. As part of its preparation, the MEC conducted two dry tests on results transmission from the constituencies to the national tally centre in Blantyre. The first test was conducted on 2 May 2019 using dummy results which saw a 15% success rating as there were network issues detected during transmission. After rectifying the network challenges, the MEC conducted a second dry test on 13 May 2019 which was largely successful across the country.

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The AUEOM assessed the MEC as having handled the preparations for the elections with professionalism as the public was regularly informed through public notices, statements and press releases. Overall, stakeholders consulted by the AUEOM had expressed satisfaction with the MEC's preparedness, and were confident in its ability and competence to conduct credible elections.

### **c. Voter Registration**

An effective, inclusive and accurate voter register is critical in safeguarding the right to vote or participate in public office. It further contributes to establishing a government based on the will of the people and ensures public confidence in the electoral process by fulfilling international standards and obligations.<sup>20</sup>

Section 77 of the Malawi Constitution stipulates, eligible voters are citizens of Malawi or ordinarily resident in Malawi for 7 years and have attained the age of 18 years and are ordinarily resident in a constituency or were born there or are employed or carry out a business there. Additionally, a person wishing to be registered as a voter must prove their nationality by producing a national identify card, issued by the National Registration Bureau (NRB) and be registered in one constituency only.

Voter Registration was conducted in eight phases between 26 June and 9 November 2018. The MEC migrated to the Biometric Voter Registration (BVR) system from Optical Mark Recognition (OMR) in order to avoid errors associated with manual registration by relying on biometric data earlier captured by the National Registration Bureau (NRB) during the National Registration and Identification Programme. At the end of the voter registration, the MEC has registered 6,859,570 voters against a projected 8,525,538 voters representing 80% of eligible voters compared to 94% in 2014.

The verification exercise was conducted for five days in four separate phases between 10 December 2018 and 9 January 2019. The MEC indicated that turn out for voter verification was low: 571, 255 registered voters verified their details using the short message service (SMS). At the end of the entire registration exercise, a total of 13, 244 persons who registered twice were deleted using the biometric technology from the NRB database and the culprits reported to Police for further investigation and prosecution in accordance with the law.

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<sup>20</sup> UDHR, Article 21



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The AUEOM recognised the efforts of the MEC to respond to its recommendation that the voter's roll should be compiled in a timely manner to allow for a comprehensive verification process. Despite these challenges, the AUEOM noted a general satisfaction among the stakeholders that the voter's register was considered more credible than in previous elections. The Commission's openness and responsiveness during the registration process contributed to the overall acceptance of the final voter's register. The AUEOM further noted that the use of technology during voter registration improved the accuracy and credibility of the voter's register.

The AUEOM noted some inconsistencies in the legal framework with regard to voter registration, particularly the age eligibility to register and vote. While section 15 of the Parliamentary and Presidential Elections Act stipulates that every citizen who on or before the polling day attained the age of 18 years shall be eligible to register as a voter, sections 77(2)(b) of the Constitution stipulates that persons should be 18 years at the time of registration. When the voter registration exercise for the 2019 elections closed in November 2018, a number of potential young voters were disenfranchised.

### **d. Political Party Registration and Candidate Nomination**

In accordance with internationally recognised standards for democratic elections, which prohibit undue restrictions on the basis of race, ethnicity, gender and physical disability, the Malawi Electoral Laws<sup>21</sup> guarantee the right of all registered political parties and independent candidates to contest for elective positions in public offices. These include the rights of all registered political parties and candidates to canvass for support and hold political rallies, the freedom of assembly and expression without undue interference from the state and other political parties.

The Political Parties Act 2018 also requires political parties to be supported by not less than 100 eligible voters in every district of the country in order to be duly registered. Before the elections, application for the registration of a new political party, the UTM was rejected. Citing section 7(1), 18(a)(i) and (ii) of the Political Parties Act, the Deputy Registrar of Political Parties rejected UTM's application for

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<sup>21</sup> Constitution of Malawi, (Chapter IV, Section 40); The Parliamentary & Presidential Elections Act (Part V, Section 56), Political Parties Act 2018.

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registration on the ground that the party “deliberately” presented registration documents using the abbreviation “UTM” and not the full name (United

Transformation Movement).<sup>22</sup> The UTM appealed this case in the High Court in Blantyre and on November 1, 2018, the Court ruled in favour of the UTM directing the Registrar to register the party within 7 days.<sup>23</sup>

In Malawi, candidates for presidential elections are expected: (a) to be a citizen of Malawi by birth or descent; (b) has attained the age of thirty-five years; (c) nominated by at least 10 registered voters in each district each of whom shall sign the nomination paper in the prescribed form; (d) and pay a non-refundable nomination fee of K2,000,000.00. The grounds for non-eligibility included the following:

- has been adjudged or declared to be of unsound mind;
- is an undischarged bankrupt having been declared bankrupt under a law of the Republic;
- has, within the last seven years, been convicted by a competent court of a crime involving dishonesty or moral turpitude;
- owes allegiance to a foreign country;
- is the holder of a public office or a member of Parliament, unless that person first resigns;
- is a serving Member of the Defence Forces or Malawi Police Service; or
- Restrictions on the armed forces
- has, within the last seven years, been convicted by a competent court of any violation of any law relating to election of the President or election of the members of Parliament.

Political parties successfully held their primaries during the official nomination period of 4 to 8 February 2019. During the nominations, an unprecedented number of candidates opted to stand as independents (38%) because they were dissatisfied with the manner in which their party primaries were conducted. Of the 13 presidential aspirants who filed nomination papers, 10 were accepted while three (3) had their nominations rejected for failing to meet the requirements.<sup>24</sup> One of the candidates

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<sup>22</sup> <https://www.times.mw/utm-refused-registration/>

<sup>23</sup> <https://malawi24.com/2018/11/02/court-rescues-utm-chilima-to-stand-in-2019-malawi-presidential-race/>.

<sup>24</sup> The MEC disqualified Loudon Titan M. Phiri of National Salvation Front (NASAF) as a result of his inability to meet the minimum requirement of 10 electors in each of the 28 districts. He was only able

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whose nomination was rejected, Ras David Chikomeni, on 18 February 2018, appealed to The High Court in Blantyre to compel the MEC to accept his candidature. The MEC had rejected Chikomeni candidature on grounds he could not pay K2 million fees and managed to collect signatures from 9 out of the 27 districts of Malawi. The Court rejected the request to compel the MEC to accept his nomination.

The presidential election was eventually contested by seven (7) candidates after the disqualification of Cassim Chilumph of Tikonze Peoples Movement (TPM) by the MEC following a ruling of The High Court on 11 April 2019; and the withdrawal of Joyce Banda of PP on 14 March 2019 endorsing opposition leader Lazarus Chakwera of the MCP.

Below is the final list of presidential candidates and their running mates<sup>25</sup> :

SNo.	PARTY/AFFILIATION	PRESIDENTIAL CANDIDATE	RUNNING MATE
1.	Malawi Congress Party (MCP)	Lazarus Chakwera	Sidik Mia
2.	United Transformation Movement (UTM)	Saulos Klaus Chilima	Michael Bizwick Usi
3.	Umodzi Party (UP)	John Eugene Chisi	Timothy Watch Kamulete
4.	Independent	Hadwick Kaliya	Mr. Mabvuto Alfred Ng'ona
5.	Mbakuwaku Movement for Development (MMD)	Peter Dominic Sinosi Driver Kuwani	Archbold McLenard Kalawang'oma
6.	United Democratic Front (UDF)	Atupele Austin Muluzi	Frank Tumpale Mwenifumbo
7.	Democratic Progressive Party (DPP)	Arthur Peter Mutharika	Everton Herbert Chimulirenji

A total of 1,329 candidates qualified to contest for the 193 seats in the Parliament. Of the 1,329 candidates, about 800 stood on the ticket of 12 political parties<sup>26</sup> while

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to collect 10 electors in one district; while Ras Chikomeni Chirwa was disqualified for failing to secure the K2,000,000 Presidential nomination fee and the required number of signatures.

<sup>25</sup> <https://mec.org.mw/2019/02/14/approved-candidates-for-may-21-presidential-elections/>

<sup>26</sup> The 13 political parties who fielded candidates include the DPP, MCP, UDF, UTM, PP, AFORD, NASAF, MMD, the DEPECO, UP, FP, TMP and PETRA.

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about 500 contested as independent candidates. The number of independent candidates in 2019 elections was higher than in the 2014 elections – (84 independent candidates more than in the last election).

The AUEOM in its assessment of the nominations and party registration processes, is of the view that the legal provision guarantees the right to stand and the right to be elected. However, the monetary requirement of a non-refundable fee could deter otherwise qualified aspirants, especially those from vulnerable and economically disadvantaged people, who do not have the financial resources for contesting.

### **e. Civic and Voter Education**

Civic and voter education is important to ensure that voters well informed about the electoral process in order to make informed choices when voting. They also increase transparency of the electoral process and build confidence of the electorate in the process.

According to Section 8(j) of the Electoral Commission Act No.11 of 1996 (ECA), it is the responsibility of the MEC “to promote public awareness of electoral matters through the media and other appropriate and effective means and to conduct civic and voter education on such matters.”<sup>27</sup> While the Electoral Act provides that the responsibility for civic and voter education rests with the MEC, political parties, CSOs and the media also conduct civic and voter education upon accreditation from the MEC. Consequently, the MEC accredited 121 CSOs to provide support in the delivery of civic and voter education for the 2019. The AUEOM noted that only a few CSOs, including the NICE, the CCJP, and the Centre for Multiparty Democracy carried out civic and voter education, due to lack of funds. Despite lack of adequate funding the voter turnout was almost at the same level as in the 2014 elections. However, the target of having less than 1.09 % of null and void ballots in all elections was not met.

### **f. Electoral Campaign and Campaign Finance**

#### *i. Electoral campaign*

In line with section 57 of the Parliamentary and Presidential Elections Act, campaigns started on 19 March 2019, two months before the elections and closed 48 hours

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<sup>27</sup> The Electoral Commission Act, Section 8 (j).

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before the opening of the polls. In addition to setting the limits within which political campaigns are to be carried out, the Act also addresses problems relating to misuse of state resources and access to the state broadcaster during elections.

Under the Political Parties Act 2018<sup>28</sup> hand-outs<sup>29</sup> are prohibited during the electioneering period. In the period leading up to and on the day of the elections, there were allegations of some political parties giving hand-out in some areas, though the AUEOM did not observe such incidents.

During the campaigns, some political parties, especially those in opposition complained of unequal media coverage of campaign activities by the MBC. The MBC tended to give more airtime to the ruling party in violation of Political Parties Act 2018 Section 34(2) which states that, "A political party shall have the right to equitable and balanced coverage during presidential, parliamentary and local government elections by the Malawi Broadcasting Corporation established under The Communications Act and every media organization funded by the State".

The opposition parties depended on private media to cover their rallies which came at a cost. During the campaign period, the AU team observed the use of state resources during the DPP rallies. For instance, on 15 and 16 May, during the DPP rallies in Mangochi and Chikwawa/ Nsanje districts respectively, the team observed several state corporation vehicles present at the rally grounds. There were also allegations that some of the DPP cadets were actually policemen in DPP regalia.

Overall, the AUEOM noted that the parties were able to conduct their campaigns freely without undue restrictions and in a largely peaceful manner with isolated incidents of violence reported. There were also reports of defacing of campaign materials. The AUEOM noted that despite the legal restrictions on the use of state resources and bias of state media, these provisions were violated by some political parties without repercussion.

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<sup>28</sup> Political Parties Act 2018 Section 41(1)(2)(3)

<sup>29</sup> "handouts" refers to transactions whereby political parties, bodies, candidates or any other person distribute private goods, cash, gifts and other items to a person as an enticement to vote for the political party or the candidate that shall not include matters or transactions specified in the Schedule" (Political Parties Act 2018, Section 2).

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## *ii. Campaign Finance*

In line with internationally accepted standards and best practice for party and campaign finance regulation, an effective party and campaign finance regulatory framework requires a system of disclosure, limits on expenditure and monitoring of campaign and party finance to mitigate the undue influence of money in politics and level the playing field for all contestants. The Political Parties Act (2018) in Malawi provides guidelines on the funding of political parties including the disclosure of sources of any donation above K 1,000,000 from individuals and beyond K 2,000,000 from other entities.

However, the law does not provide any restrictions on the private sources of funds from which political parties and candidates can obtain funding. Under the current dispensation, all the major political parties receive financial support from their leaders, well-wishers, membership contributions, donors or benefit from a major patron/financier. The practice, common in Malawi, allows the patron to wield huge influence within party structures. In addition to private sources of funding, political parties with more than 10% of national vote in parliament receive funds from the state, proportional to the number of seats in parliament. Though the law seeks to even the political playfield, state funding seems to favour the established bigger political parties at the expense of the smaller ones.

The AUEOM is of the view that the existing legal framework on public funding of political parties gives advantage to bigger parties, especially the party that has majority in parliament. In this case, smaller and newly formed parties tend to be disadvantaged. The AUEOM takes note that candidates especially from smaller parties attributed their inability to campaign vigorously and countrywide due to financial constraints.

## **g. Participation of Women, Persons with Disability (PWDs) and Youth**

The AU Member States have committed to adopt legislative and administrative measures to guarantee the rights of women, people with disabilities and other marginalized and vulnerable social groups. This include promoting the full and active participation of women in the electoral process and ensure gender parity in

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representation at all levels, including legislatures.<sup>30</sup> To this end, a number of political parties in Malawi have internal policies targeted at promoting the participation of women, youth and PWDs within their structures.

### ***i. Women participation***

Malawi in 2013 passed the Gender Equality Act (2013) which removes barriers that curtail women participation in governance and electoral processes, among others. Before the 2019 elections, the MEC and some CSOs took measures to promote women's participation in the electoral process. These included the reduction of nomination fees for female candidates by the MEC. Fees were cut by 50% for female candidates, an increase of 100% from the similar discount in the previous elections. The project *50-50 Campaign Malawi* (<http://www.50-50campaignmw.org/>) refunded the nomination fees of female candidates in some constituencies.<sup>31</sup> The landmark conference on “enhancing gender equality in political parties and electoral processes” organised by the MEC resonated well with similar efforts aimed at mobilising stakeholders to commit to ensuring active participation of women in the electoral process beyond voter role such as Gender Coordination Network (GCN) helping female parliamentarians maintain their seats.

The AUEOM thus notes that the underrepresentation of women is reflected by only 22% of the nominees for parliamentary seats and 23% of the local government candidates and none of the 7 presidential candidates was a female after the withdrawal of Madam Joyce Banda. This is in a context where there are 3,813,578 women and 3,045,992 men registered to vote in the 2019 elections. The results showed that 44 of the 192 contested parliamentary seats were taken by females making 23% and 67 of the 462 local government seats contested were taken by females making 14.5%. The entrenched tradition, customs, cultural stereotypes and financial challenges still make female candidates disadvantaged against their male counterparts both at intra and interparty levels.

### ***ii. Youth participation***

Malawi has a vibrant youth engagement in political activism though largely at the grass roots level. To promote youth participation in the 2019 elections, the MEC

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<sup>30</sup> African charter on democracy, elections and governance, <https://au.int/en/treaties/african-charter-democracy-elections-and-governance>

<sup>31</sup> Project 50-50 Campaign Malawi: <http://www.50-50campaignmw.org/>

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granted the youth (candidates) the discounts offered to women and PWDs, for the first time in the history of the country. Apart from those who stood as candidates, majority of them were used by political parties during rallies as either crowd marshals, private security to leadership or artistes and not actively engaged in positions of responsibility.

### ***iii. People living with Disability***

Malawi has a Disability Act No.8 of 2012 which seeks to promote the participation of PWDs in political life and enhance their social inclusion. During the voter registration, PWDs were given express service and did not have to queue at registration centres. The MEC also made available on polling day materials in braille to aide people with visual impairment to vote without the assistance from family members or polling officials. In addition, all television messages relating to the elections had sign language interpretation to help people with hearing impairment to be informed.

The AUEOM noted that despite the existence of Gender Equality Act (2013), Disability Act No.8 of 2012 and the aforementioned efforts by stakeholders to promote inclusion in the electoral process, women, youth and PWDs were significantly underrepresented even as candidates during the elections. The outcome of the 2019 elections, as will be discussed later in the report, equally reflects underrepresentation of women and other disadvantaged groups in the Malawian society. As noted earlier in the report, the legal framework does not include provisions for affirmative action which is fundamental to addressing the gender gap in the political space.

### **h. Role of Civil Society**

Malawi has vibrant civil society organisations complementing Government efforts in all major sectors, including democratic governance, human rights, civic education, among others. During the 2019 elections, the MEC accredited 121 CSOs to provide civic and voter education which involved 8000 volunteers doing door-to-door and placing citizens observers in all polling centres. In addition, a number of CSOs<sup>32</sup> engaged in Parallel Vote Tabulation (PVT); the promotion of intra party democracy;

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<sup>32</sup> Notable among the CSOs are: The Malawi Electoral Support Network (MESN); the National Initiative for Civic Education (NICE) Trust; the Centre for Multiparty Democracy (CMD); the Mtendere Election Support Network (MESN-II); the Malawi Union for the Blind (MUB); the Public Affairs Committee (PAC); the Malawi Law Society.



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campaigns for the rights of visually impaired; the promotion of peace and mediation; and legal education on the electoral process for the general public and relevant stakeholders.

Compared to 2014 most of the CSOs complained of lack of funding which limited their coverage. Had they been well funded and resourced, they believe there could have been an increase in the number of registered voters and a reduction in null and void ballots. Compared to previous elections, CSOs were of the view that the MEC performed creditably well. Beyond that they believe that a lot still need be done to increase transparency and public trust in the electoral process. They believe that the MEC could have done more in the area of complaints and results management processes, as propaganda and misinformation around results thrived on the limited clarity provided by the MEC. This is an area that the MEC could have worked more closely with CSOs.

The AUEOM noted that in accordance with the laws of the country and international practices, the electoral environment in Malawi was open and conducive for CSOs to operate freely without undue restrictions or intimidation.

### **i. The Media**

The media's role in democratic elections is recognised in several international human rights instruments related to freedom of expression, opinion, and the right to access, receive and impart information through various media sources<sup>33</sup>. This is necessary to ensure that voters have adequate access to information on an electoral process in order to make an informed choice and also serve platform for political parties and candidates to sell their ideas.

The Constitution of Malawi guarantees access to information, freedom of opinion and expression, freedom of the press and free access to information. To further strengthen press freedom, the Government of Malawi passed the Access to Information Act 2017. The AUEOM recognizes as a positive step in consolidating freedom information in a manner that promotes democratic governance. While the AUEOM did not undertake a comprehensive monitoring of the media during the elections, it observed that the media landscape in Malawi was diverse and vibrant. The country enjoys a diversity of media outlets ranging from print to electronic which

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<sup>33</sup>. OAU/AU, Declaration on Principles Governing Democratic Elections, Sec. 3(d); UN, ICCPR, Art. 19.

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are private and public. The Malawi Broadcasting Corporation is the main public media comprising two radio and one television station with nationwide coverage. The leading private media houses are Capital Radio, Zodiak Radio and TV. In Malawi, radio remains the most important source of information, followed by television and newspapers most of which have online presence. The Mission observed that radio stations and newspapers were very active in disseminating information in both English and local language.

Some of the key activities the media undertook included series of debates for presidential candidates on one hand and running mates on the other hand in all regions before the election. The debates offered a platform for candidates to effectively reach out to voters. Additionally, a number of interactive programmes discussing topical issues were aired. These also served as opportunities to promote the participation of youth and women in politics.

Electronic media operates under the Malawi Communications Act of 2016. During election period the Parliamentary and Presidential Elections Act (PPEA) establishes the cornerstone of both print and electronic media regulation. Section 63(1) and (2) of the Act guarantees and safeguards freedom of expression of all political parties and candidates.<sup>34</sup> Pursuant to the provision, the MEC requested all political parties and candidates to submit a 3-minute radio and television messages for onward transmission to MBC for broadcasting. Due to a perceived bias of the public media in favour of the ruling party only three smaller parties responded.

The Malawi Communication Regulatory Authority (MACRA) regulates activities of electronic media and issues fines in cases of breaching license terms. It also monitors adherence to the Code of Conduct which emphasises the equal treatment of political parties and candidates during elections. The AUEOM observed that the MACRA board members are appointed by the President and this could undermine its independence and ability to discipline the public broadcaster for unbalanced coverage. The Mission noted that unlike 2014 where MACRA published regular media monitoring updates ahead of the elections, it could not do so in 2019.

The Electronic Transaction and Cyber Security Act (2016) regulates the use of social media. The MACRA Technical Unit, regional Facebook unit pulled down fake news

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<sup>34</sup>The Constitution of Malawi, Part V, Section 63-(1)

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posts. The AUEOM equally noted reports by CSOs and opposition political parties that the MACRA had received complaints against the perceived bias of the state broadcaster during the campaign period and cautioned it against biased reporting.

Public radio and television covered the ruling party in a more positive tone, whereas private and commercial gave a more positive tone to the bigger opposition parties. The Mission noted the main political parties that had the financial resources purchased more paid advertisement in the monitored media than other parties and candidates.

The presidential race dominated news coverage over parliamentary and local government elections. The three major contending political parties (DPP, MCP and UTM) and their presidential and parliamentary candidates received more coverage in the media than other parties and independent candidates. The ruling party dominated the airwaves on both state-owned radio and television, partly due to the live and recorded broadcasts of 'Presidential rallies' and 'Presidential Development Diaries', where the separation between the President's political party and presidential functions were unclear.

The AUEOM noted with satisfaction the electoral reforms undertaken ahead of the 2019 elections, including:

- The Communications Act (2016) which mandates the MEC to establish ahead of each election an "Election Broadcasting, Monitoring and Complaints Committee (EBMCC) in collaboration with the MACRA and chaired by the MEC; and
- The adoption of a Code of Conduct for the Media<sup>35</sup> and the development of a media toolkit, to guide media practitioners in the implementation of the code of conduct and as a benchmark for monitoring compliance.

The AUEOM noted that freedom of expression and of the press was respected throughout the campaign period. Coverage of election activities by the media was carried out without restriction.<sup>36</sup>

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<sup>35</sup> The Malawi Media Code of Conduct 2008/2009.

<sup>36</sup> Article 25 ICCPR, United Nations Human Rights Commission, General Comment No. 25, paragraph 25: "The free communication of information and ideas about public and political issues between citizens, candidates and elected representatives is essential. This implies a free press and other media able to comment on public issues without censorship or restraint and to inform public opinion."

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## j. Electoral Security

The assurance of equitable security during an electoral process is essential to retaining the citizens' confidence in an election. Consequently, security is both integral to the goal of an election and an inseparable part of an electoral process.<sup>37</sup> The general political and electoral environment before the 2019 elections was largely peaceful despite isolated incidents of political violence and intolerance.

During the pre-election period, there were concerns of possible violence during the elections due to political tensions. While there were early pockets of violence in some districts such as Mulanje, Thyolo, Nsanje, Mangochi and Machinga in the Southern region and the Kasungu, Nkhotakota and Ntcheu in Central region, the security agencies handled these early signs and prevented further escalation. Another key issue was the number of traditional leaders and clergy who acted in breach of the Electoral Code of Conduct for Chiefs<sup>38</sup> by openly endorsing candidates. The endorsement of political candidates by traditional leaders demonstrated they were partisan and that the act itself had the potential of influencing their subjects' political choices; giving unequal treatment to political parties and/or candidates during campaigns and creating divisions and tension within the communities.

To improve security during, before and after the elections the MEC worked with the Malawian Defence Force (MDF) and the Malawi Police Service (MPS) to develop *Election Security Strategy*. The strategy focused on detailed deployment plans, stakeholder engagement, capacity building on electoral security management, and improved information sharing, among others. There was continued security risk assessment, gathering of intelligence and policing of all hotspots.<sup>39</sup>

Out of a total of 10,390 police personnel required for polling day, the MPS was able to mobilise 6,675 officers whilst the MDF, the Immigration and Prisons services complemented the rest of the manpower needed. The MPS and the MDF also provided escort services and protection during the transportation of the sensitive elections materials to constituency tallying centres and stores. Each polling station had two security personnel deployed whilst stations with multiple streams, had more officers.

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<sup>37</sup> <http://aceproject.org/ace-en/focus/elections-and-security/principles-of-elections-and-security>

<sup>38</sup> Electoral Code of Conduct for Chiefs during Elections, 2019

<sup>39</sup> Malawi Police Service report on preparations for the 21st may, 2019 tripartite elections

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The neutrality of the MPS was called into question as some opposition parties perceived the police to have been openly biased and selective in dealing with election-related violence.

The AUEOM noted that despite the security concerns raised in the lead up to the elections, there was no widespread violence and intimidation that could have hindered voters from freely participating in the election.

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## **IV. ELECTION DAY OBSERVATION**

On 20 May 2019 before polling day, the MEC issued a Public Notice on “Authority to Vote Elsewhere”.<sup>40</sup> The MEC through the Public notice informed all political parties, CSOs and all electoral stakeholders that all individuals who would be working away from the polling stations where they registered will be allowed to vote where they will work upon presentation of the requisite documentation.

The AUEOM also noted the challenge surrounding the information flow of the notice, as this was not uniformly communicated across the stations visited. In some cases, such individuals were allowed to vote and in others some voters were denied in some of the stations visited.

### **a. Opening of the Poll**

AU observers were present at the opening in 16 polling stations across 13 districts. The AUEOM observed that 44% of the stations opening later than the 6:00 am as stipulated in the law. To compensate for the time lost, the MEC allowed for additional time for voters to vote in polling stations which opened after the stipulated time. The Mission also noted that in general, the MEC staff appeared familiar with opening procedures, and that the opening was carried out according to the MEC guidelines. AU observers also reported that security personnel were actively involved in the opening processes in some of stations.

### **b. Voting**

On voting day, the AUEOM visited a total of 157 polling stations. The AUEOM observed that in most polling centres, voting proceeded uninterrupted in an open and transparent manner throughout the day and in line with voting guidelines. Although stream management and crowd control were challenging in several polling stations visited during the day, the mission did not observe any serious incidents related to queuing and crowd control. During voting, in about 20 polling stations visited, the mission observed voters being turned away mainly due to voters presenting themselves at the incorrect polling station or stream or not presenting the correct identification. Such voters were in most cases redirected to the right polling stream

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<sup>40</sup> This public notice authorizes Political party and independent candidates, roving monitors and roving observers from Non-state Actors; drivers and personal assistants accompanying observers and monitoring teams to vote upon production of the voter certificate and “Authority to Vote Elsewhere”.

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or station. In polling stations visited, the AUEOM observed that assistance was provided to voters with special needs, including the elderly and PWDs. The AUEOM also noted that 98% of stations visited were accessible to PWDs.

### **c. Closing and Counting**

The AUEOM visited 14 stations during the closing process. All stations visited closed at 6:00 pm, with two stations extended for 30 minutes to make up for the late opening. There were no queues at closing time in all the stations visited. The AU observers that reconciliation procedures were not uniformly followed in all the stations visited. Three teams of AU observers reported that reconciliation was not done before the counting commenced, as the officials resorted to their discretion in those stations. In another instance, the AUEOM observed that delays in the closing procedures, as in some cases polling personnel had to relocate into closed spaces for the counting process. In some cases, the relocation delayed the vote count by over an hour.

The AUEOM noted that the use of gas lamps in some stations provided some level of lighting, though inadequate. The lamps also posed a safety hazard as there was a fire incident in one of the stations visited.

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## **V. POST – ELECTION OBSERVATION**

### **a. Results Tabulation**

After the close of polls, the AUEOM observed the transmission of results from selected Constituency Tally Centres where they were deployed to. The Mission also had a team at the National Tally Centre in Blantyre who observed the receipt of the results and the periodic announcement by the MEC. Votes were counted and aggregated at polling streams; the polling streams results were then aggregated and recorded into the polling stations result forms. Copies of result forms were placed in Tamper Evident Envelope (TEE) and sent to the constituency tallying centres through the CROs. For the 2019 elections, a total of 197 tallying centres were set across the country. At the constituency tally centres, CROs received results from POs, verified them by reading them aloud to the party monitors, local and international observers and the media present at the tally centres. If the numbers were accepted by the monitors, the results forms were handed over to the auditor who double checks the figures before handing them over to the Tally Centre Clerks for capturing and transmission to the National Tally Centre in Blantyre.

The result management process faced a series of challenges thus delaying the transmission of results to the National Tally Centre. This was mainly due to some POs' inability to reconcile the number of ballot papers received, unused, cancelled or spoilt, null and void, total number of valid votes cast and total number of cast ballot papers. The party monitors who were present during counting also went ahead to sign off on these forms with wrong or miscalculated reconciliations. The miscalculated reconciliations were discovered at the constituency tally centres and as such the CROs had to summon all POs and party monitors with such challenges to rectify the situation. As a result, this affected the quick and smooth transfer of results to the National Tally centre. Furthermore, some results forms were also later discovered by some political parties and candidates to have been tampered with by the use of correction fluid and yet the MEC processed these results. This led to allegations of results tampering and vote rigging in the electoral process.

### **b. Announcement of Results**

The Chairperson of the MEC announced provisional results as they came in from the constituencies based on the powers vested in her by section 80(2) of the Constitution as read with section 96 (5) of the Parliamentary and Presidential Act. The



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announcement of results also gave the MEC the platform to update the public on all electoral related issues. A total of 13 updates were issued out by the MEC within the 8 days from polling as stipulated by the Electoral Act to announce the results of the tripartite elections. It must also be noted that the announcement of Presidential results was delayed after an injunction was obtained through the High Court in Lilongwe on the 25 May 2019, restraining the MEC from proceeding with the announcement of the results. This injunction was obtained by the MCP after the party alleged that some irregularities had been discovered in the result management process in some of the districts. The MEC began with announcement of the final Parliamentary results on 25 May followed by the Presidential election results on 27 May following the lifting of the injunction on same date and finally those of the Local Government on 28 May.

### ***(1) Parliamentary***

For the parliamentary elections, there were a total of 6, 827, 383 registered voters in the 192 constituencies that were contested for. Out of this, a total of 5,070,948 voters cast their ballots representing 74.27% turnout. A total of 4,967,774 were valid votes and 103,174 were null which represents 1.51%<sup>41</sup>. It should be noted that voting in Lilongwe South constituency did not take place due to the death of a candidate. Summary of the seats won are as follows: DPP 62, MCP 55, Independent 55, UDF 10, PP 5, UTM 4, AFORD 1.

Below is the gender breakdown of seats won:

<b>Political Parties</b>	<b>Total candidates per party</b>	<b>Male</b>	<b>Female</b>
AFFORD	1	1	0
DPP	62	44	18
IND	55	41	14
MCP	55	46	9
PP	5	5	0
UDF	10	8	2
UTM	4	3	1
<b>TOTAL</b>	<b>192</b>	<b>148</b>	<b>44</b>

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<sup>41</sup> The MEC Declaration of Parliamentary Election results, 25 May 2019

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### *(2) Presidential*

Following the lifting of the injunction by the High Court in Lilongwe on the 27 May 2019, the MEC proceeded to announce the final Presidential results. The incumbent president Prof. Arthur Peter Mutharika of the DPP was declared the winner with a total of 1,940,709 votes representing 38.57%. Following voting in the Tripartite Elections took place on 21 May 2019 in all the 5002 polling stations. Out of 6,859,570 registered voters, 5,105,983 turned up for polling representing 74.44%. A total of 74,719 votes were declared null and void representing 1.09%.

Table below shows the results of Presidential Elections

<b>Candidate</b>	<b>Affiliation</b>	<b>Votes</b>	<b>Percentage</b>
LAZARUS MCCARTHY CHAKWERA	MCP	1,781,740	35.41
SAULOS KLAUS CHILIMA	UTM	1,018,369	20.24
JOHN EUGENES CHISI	UP	19,187	0.38
HADWICK KALIYA	IND	15,726	0.31
PETER DSD KUWANI	MMD	20,369	0.40
ATUPELE MULUZI	UDF	235,164	4.67
<b>ARTHUR PETER MUTHARIKA</b>	<b>DPP</b>	<b>1,940,709</b>	<b>38.57</b>

### *(3) Local Government*

The Local Government Election results accounted for a total of 5,062,778 registered voters who turned up for polling representing 74.18%. A total of 4,888,841 were valid votes while 173,937 votes were null and void representing 2.55%<sup>42</sup>. Summary of the local council seats won are: AFORD 2, DPP 161, IND 73, MCP 160, PP 4, UDF 20, UTM 40. Below is a gender breakdown of the seats won:

<b>Political parties</b>	<b>Total candidates per party</b>	<b>Male</b>	<b>Female</b>
AFFORD	2	2	0
DPP	161	139	22
INDEPENDENT	73	66	7
MCP	160	134	26
PP	4	4	0
UDF	20	15	5
UTM	40	33	7
<b>TOTAL</b>	<b>460</b>	<b>393</b>	<b>67</b>

<sup>42</sup> The MEC Declaration of Local Government Election results, 28 May 2019.

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The AUEOM noted that more independent candidates won in both parliamentary and local council elections showing that intra party democracy is still a challenge in Malawi particularly during party primaries leading to the high number of independent MPs (55) in parliament for the 2019 tripartite elections.

### c. Post-Election Environment

Following the declaration of the incumbent president as winner on 27 May 2019, supporters of the MCP went into the streets of Lilongwe, a stronghold of the party, in protest against the results. This resulted in blocking of roads, burning of tyres and throwing of stones at moving vehicles in areas such as Chioka Primary School, Chileka Trading Centre along Lilongwe-Mchinji Road, Kanyenje Trading Centre along Salima Road and the Chimwaza Trading Centre along the Lilongwe Kasungu road in Dowa. In another incident, an irate youth broke into an Indian-owned shop (Plaza Shop) at the Chimwaza Trading Centre in Lilongwe and took away several items including mobile phones. According to the Police, no arrests were made at the time when the LTOs called to verify.

On Tuesday 28 May, the Police was reported to have invaded the headquarters of the MCP firing tear gas and deflating tyres of vehicles parked in the premises<sup>43</sup> under the pretext that they were planning to cause violence. The MCP officials denied this allegation and indicated that they had gone to the party office for a meeting and had no intention of planning to cause violence. The spokesperson of the Police at the national headquarters when contacted by the LTOs for clarification indicated their preparedness to investigate the incident and the circumstances under which the MPC office was raided. Despite these reported incidents, the country remained generally calm and the incumbent president was sworn in 28 May 2019.

Since the AU mission left the country on 4 June 2019, there have been reports of regular peaceful demonstrations to exert pressure on both the MEC and the judiciary calling for the nullification of the results, resignation of the chairperson of the MEC and the President of the Republic as well as requesting the courts to order a rerun of the Presidential election. These calls culminated in the June 20 nationwide demonstrations that were organized by CSOs and supported by both the UTM and the MCP<sup>44</sup>.

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<sup>43</sup> The Daily Times, 29<sup>th</sup> May edition, *Police invade MCP headquarters*, pages 1 and 3.

<sup>44</sup> <https://mwntion.com/csos-set-mass-protests-for-june-20/>

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## d. Election Dispute Resolution

Effective resolution of electoral disputes is an integral part of a genuine and transparent electoral process before and after elections. Thus, in accordance with Rules 13-19 of Order 19 of the Courts (High Court) (Civil Procedure) Rules 2017 which elaborates on the procedural rules relating to election matters in Malawi, the MEC has the mandate to determine complaints over electoral irregularities.<sup>45</sup> The MEC also established the Multiparty Liaison Committees (MPLC)<sup>46</sup> in 2000 in all the districts and tasked with the management and resolution of election related disputes before, during and after elections at the council levels. Electoral stakeholders confirmed to the AUEOM the functioning of the MPLCs especially during the pre-election period.

Below are some complaints and petitions which the MEC received and addressed immediately after 21 May tripartite elections:

a. ***Goliati School in Thyolo East Constituency:*** The MEC, in its update No. 08 on progress on results tallying issued on 23 May, announced that it received a complaint of over-voting at Goliati School in Thyolo East Constituency where a total of 11,388 people had voted against 6,088 registered voters. Again, in Magunda Court also in Thyolo East, 1,891 voters voted while the total number of registered voters was 1,346. The MEC dispatched a team from the head office to investigate the matter after which it confirmed that the allegations of 11,388 votes cast at the Goliati School were incorrect. The Commission explained that the polling centre received 5,700 ballot papers; the total of 5,287 votes were cast; 16 ballot papers were cancelled or spoiled; And 351 ballots were unused. The centre registered that none of the votes were considered null and void. The Commission therefore dismissed this complaint for lack of merit.

b. ***Mulanje South Constituency:*** In its update No. 08 on progress on results tallying issued on 23 May, the MEC informed the public that they received a complaint about alleged tampering of results in Mulanje South Constituency in Lauderdale School. The Commission assessed results from all the polling stations falling under Mulanje South. It was discovered that result sheets from some of the centres were

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<sup>45</sup> Section 113 of Political Parties Elections Act, 1993

<sup>46</sup> Members include; District Officer, District Election Officer, Officer-In-Charge, District Education Secretary, Representatives of political parties and CSOs and representative of independent candidates during elections.

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indeed tampered with by using tip-ex and new figures were overwritten on the initial entries. A thorough scrutiny of all the result sheets proved that only the sub-totals of Lauderdale School were not adding up. The rest of the results sheets in Mulanje South were however in order. The Commission decided to quarantine the results for Lauderdale School polling station which were later reviewed, and the results corrected.

c. ***MCP presidential election results petition***: The MCP and its presidential candidate, Dr. Lazarus McCarthy Chakwera lodged a complaint with the MEC on 23 May. While the MEC was still in the process of determining the complaint lodged, the MCP candidate on 24 May filed a case<sup>47</sup> before the High Court in Lilongwe, requesting for Judicial Review and for an injunction restraining the MEC from announcing the presidential election results until the judicial review was determined. Based on the application made by the MCP and its presidential candidate, the High Court in Lilongwe on 25 May granted an injunction restraining the MEC from announcing the presidential election results<sup>48</sup>. On the same day 25 May, the same High Court received and fully heard an application from the MEC to vacate the injunction in order to allow the Commission to announce the presidential results. The Court reserved its decision and on 27 May ruled and lifted the injunction, thereby allowing the MEC proceed with the announcement of the results, while the judicial review case stays on. After the declaration of the results of the presidential election, Dr. Lazarus Chakwera filed the petition<sup>49</sup> before the High Court in Lilongwe requesting for nullification of the presidential election results of the elections under section 114(1) of the PPEA.

d. ***UTM presidential election results petition***: Dissatisfied with the presidential election results announced by the MEC on 27 May, the UTM presidential candidate, Dr. Saulos Chilima on 31 May filed an election petition<sup>50</sup> before the High Court in Lilongwe, asking for the Court to declare that the elections were null and *void ab initio* and for an order for costs for the Petitioner (Dr. Saulos Chilima).

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<sup>47</sup> Election case No. 7 of 2019

<sup>48</sup> MCP requested that until a further Order of the Court, the announcement of presidential election results is stayed until the results from Ndanje, Chikwawa, Mangochi, Blantyre, Zomba, Mulanje, Chiipa, Rumphi, Karonga and Nkhata Bay are verified through a transparent recount of the ballot papers in the presence of representatives of political parties which contested in the elections.

<sup>49</sup> Election Case No. 26 of 2019

<sup>50</sup> Election Case No. 16 of 2019

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### **e. Consolidation of Election Cases Nos. 16 and 26 by UTM and MCP:**

Following the close and departure of the African Union Election Observation Mission on 4 June 2019, reports monitored indicated that the MCP and the UTM had joined forces to file a petition at the High Court seeking annulment of the results of the presidential election citing massive rigging<sup>51</sup>. They have filed a joint petition against the DPP elected President Prof. Arthur Peter Mutharika as 1<sup>st</sup> respondent and the Malawi Electoral Commission as 2<sup>nd</sup> respondent in their bid to nullify the results of the presidential election. Reports indicate further that on 21 June 2019, the Court ruled for the case to go full trial and rejected the MEC's and the President's application for dismissal of the matter. Not satisfied with the ruling of the High Court, the MEC also proceeded to make an application for leave to appeal at the Supreme Court.

## **VI. CONCLUSION AND RECOMMENDATIONS**

### **a. Conclusion**

Based on its findings and assessment, the AUEOM concluded that the processes leading up to the conduct of the 2019 tripartite elections were generally peaceful and in accordance with the legal framework and international obligations for democratic elections. The AUEOM recognises the importance of dispute resolution within the framework of the Constitution and has noted that following the announcement of the results, the leading opposition party, the MCP joined by the UTM opted to challenge the results in both the courts as well as on the streets. Though the AUEOM commends the main contenders for choosing the legal route to seek redress, it is calling on them to equally exercise restraints as they carry out street protests alongside the court processes. The AUOEM further calls on all key stakeholders including the MEC, the political parties, CSOs and the general citizens to abide by the rule of law and support the Judiciary to make its determination freely and without undue influence.

It must be noted that at the time of concluding the final report of the AUEOM, the court processes had not been concluded. The socio-political environment however still remained generally peaceful though tensed as a result of the petition and streets protests. Whiles the country and all stakeholders await the trials to begin and eventual

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<sup>51</sup> <https://mwnation.com/court-merges-mcp-utm-case/>

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determination of the cases, the AUEOM has observed that the process so far has guaranteed a transparent and fair hearing to all parties.

### **b. Recommendations**

Based on its findings and observations, the Mission offers the following recommendations on:

#### ***The Government of Malawi and the Legislature to***

- Review the budget and allocate adequate resources in support of the MEC to ensure that all aspects of the electoral process, including the disbursement of election materials and civic and voter education are sufficiently catered for;
- Revisit the report of the National Task Force on Electoral Reform, to see through the proposed reforms;
- Provide the requisite resources to the Office of Registrar of Political Parties to make it fully operational in order to carry out its mandate of handling political parties disputes referred to it.
- Review the existing legislative framework for elections in Malawi with a view to harmonizing all existing laws. This will help streamline the administration and compliance of all stakeholders with the laws of Malawi as pertaining to elections.
- Ensure the Director General and the members of the Malawi Broadcasting Corporation (MBC) board are appointed by the National Assembly. This could contribute to addressing the issues of independence and impartiality;
- Ensure the Director General and the members of the Malawi Communications Regulatory Authority (MACRA) board are equally appointed by the National Assembly and from amongst professionals of the communications sector; while ensuring an effective complaints procedure that allows the public, political parties and the media themselves to adjudicate on alleged breaches of law or regulations on media coverage.

#### ***The Malawi Electoral Commission to:***

- Provide polling centres with delineation materials to separate and manage different voter streams within each polling station.
- Endeavour to open the recruitment process and set minimum requirement that all qualified and interested Malawians should be able to apply for positions they are qualified for. The recruitment should not just be restrictive to head teachers only;
- Increase the number of days for the training of polling officials to strengthen their capacity and better understanding of the polling and counting procedures. These

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training should include mock exercises that will enable the polling officials to be more familiar with the materials and easy application of the procedures;

- Work with the relevant authorities, including the National Initiative for Civic Education and the National Registration Bureau to ensure that future National ID drives incorporate an element of electoral education which emphasizes the need to possess an ID card in order to register to vote;
- Improve on its communication strategies to polling officials especially in regards amendment to procedures on polling day;
- Consider ways of improving the safety and efficacy of the lighting of the voting centres during the counting process.

### ***Political parties to:***

- Provide adequate training for party monitors on the electoral process especially on rules and procedures of closing and counting;
- Increase women's participation by operationalising the Gender Equality Act (2013) to enhance women's participation in governance and electoral processes especially in leadership position and also as candidates;
- Remain committed to the political party code of conduct to promote conditions that are conducive to the conduct of free, fair, transparent and credible elections;
- Promote intra and inter party tolerance and avoid hate speech before, during and after the elections.

### ***The security agencies to:***

- Review training of security personnel to ensure that they clearly understand their roles and responsibilities in the administration and management of polling stations especially on voting day.

### ***The media to:***

- Ensure the public broadcaster guarantees universal accessibility and balanced coverage, especially during an election campaign period;
- Ensure the independence and impartiality of the broadcasting regulatory body;
- Develop a media toolkit, to guide media practitioners in the implementation of the code of conduct and serve as a benchmark for monitoring compliance;
- Operationalize the Access to Information Act;



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### ***Civil Society to:***

- Continue to work closely with the MEC to strengthen and enhance civic and voter education efforts;
- Come together and coordinate their civic and voter education activities and also share resources to assist smaller CSOs in remote areas to be able to reach all voters within their localities;
- Mobilize adequate resources to undertake a full parallel vote tabulation instead of the sample approach due to lack of funding;
- Continue to support the campaign for increased involvement of women in the electoral process most especially as candidates.