

Malawi Tripartite Elections

ZESN Press Statement

2014



1. Introduction

The Zimbabwe Elections Support Network (ZESN) deployed a Technical Assessment Mission to Malawi's first tripartite elections since 1994 held on Tuesday, 20 May 2014. The Mission was in the country at the invitation of the Malawi Electoral Commission. During this period, the Mission met with key stakeholders in the electoral process and it observed the polling and part of the counting processes in Lilongwe and Blantyre.

The mission made its assessment of the electoral process in Malawi on the basis of the information gathered during meetings with relevant stakeholders and observation of the process. The preliminary findings of the Mission and subsequent recommendations are presented in this interim statement.

Objectives of the Mission

The overall objective of the mission was:

- Assess and determine whether the elections were conducted in accordance with the constitutional and legal framework for elections in Malawi;
- Undertake a detailed documentation of the electoral process to ascertain if the process was organized and conducted in compliance with internationally accepted standards for credible elections;
- Determine whether the final results of the electoral process as a whole reflect the wishes of the people of Malawi; and
- Assess whether the elections met the benchmarks set out in the African Union Declaration on Principles Governing Democratic Elections, and the SADC Principles and Guidelines Governing Democratic Elections.

2. Methodology

The Mission adopted a holistic approach to the documentation and assessment of the electoral process in Malawi. It undertook various activities covering the pre-election, polling and immediate post-polling operations. Assessment of the legal framework, meetings with stakeholders which included the Malawi Electoral Commission (MEC), civil society organisations (CSOs) and monitoring of campaign rallies.

The documentation and assessment methodology encompassed the activities outlined below.

2.1. Observers Briefing

The MEC constantly briefed local and foreign observers on the state of preparedness. This included security of ballot papers, logistics, accreditation of observers, printing of the voters' roll, dispatch of materials to the polling centers results compilation.

2.2. Stakeholder Meetings and Political Party Rallies

Stakeholders provided information on their assessment of different steps of the electoral process, including the registration of voters; candidate nomination process; the credibility of the Electoral Commission; women's participation in the process; media access and voter education. The information received at these meetings constituted the basis for the Mission's assessment of the electoral process. Members of the Mission were also able to observe the final stages of the electoral campaigns, attend rallies of various presidential candidates held in Lilongwe.

2.3. Election-day Observation

On Election Day, the Mission was divided into two teams that observed the polling and counting processes in Lilongwe and Blantyre. The teams observed the opening and the close of the polls and visited a number of polling centers and stations throughout the day in their areas of deployment. The teams observed the counting of votes immediately after the closing of the polls.

3. Preliminary Findings of the Mission

Based on its interaction with stakeholders and its observation of the polling and immediate post-polling activities, the ZESN Mission has identified the following issues as noteworthy:

3.1. Political tolerance

The Mission observed that the level of political tolerance in Malawi has significantly improved since its return to multi-party democracy. The Mission wishes to commend the people of Malawi for the largely peaceful and orderly conduct that characterized the period before and during polling. Despite the disruptions that occurred at 45 polling stations, the security agencies succeeded in maintaining a secure and peaceful environment throughout the electoral process. The context in which the elections took place was generally devoid of major incidents of violence and intimidation of candidates

and voters. In general, the electoral campaign proceeded smoothly, with only minimal and isolated cases of violence reported.

3.2. The Electoral Commission

The Electoral Commission of Malawi is the institution legally mandated to conduct and manage the electoral process. The commission faced a number of obstacles in its preparations for the 2014 tripartite elections.

The Commission opened up the process to relevant stakeholders in its preparations for the 2014 tripartite elections through regular media briefings, consultations with stakeholders at each crucial step of the electoral process, as well as online updates about its preparations.

3.3. The Voters Register and Identification of Voters

Different stakeholders registered their lack of confidence in the quality of voters roll that was used in Malawi's 2009 elections. In response to this, MEC compiled a new voter register for its 2014 tripartite elections. However MEC failed to complete this process in time resulting in the new voter's role being availed to the stakeholders late in the process. Consequently interested parties complained that they were unable to fully check the accuracy of the voter's roll owing to time pressure. This problem is compounded by the non-existence of systematic registering of birth and death, making it difficult to accurately determine the number of eligible voters in population forecasts.

3.4. Electoral Campaign

Campaigns for the 2014 General Elections were held from 21 March to 18 May 2014, in line with relevant legislations. These campaigns took place across the country, with very few reports of major violent clashes.

Though conducted in a peaceful and orderly manner, the Mission noted that the electoral campaigns were conducted within a context marked by an unlevel playing field. There were consistent reports suggesting that the incumbent President and candidates from the ruling party had undue advantage over opposition parties and candidates through the use of state resources at their disposal for electoral purposes.

3.5. Civic and Voter Education

Civic and voter education was hampered by lack of funding. Though a total of 200 CSOs were accredited by the MEC on the 13th of April 2013, few managed to conduct the voter education. Hence the education provided was inadequate.

3.6. Election Day

- The Mission observed that the voting process was conducted peacefully with few incidences of violence or disturbance. The people of Malawi showed their commitment to the development of democracy by turning out to vote;
- Though voters turned out in their numbers to vote before the polls opened, it was observed that some of polling stations visited opened relatively late owing to the delayed arrival of election materials. In a few of the polling stations the voting materials did not arrive at all. MEC extended voting hours and rescheduled voting in some of the centers. These delays in some polling centers led the destruction of polling materials, as voters protested.
- As a result of these logistical and administrative challenges, polling was postponed in 45 centers; (36 centers in Blantyre, 6 centers in Dedza, and 3 centers in Lilongwe respectively).
- The number of security personnel was inadequate for effective crowd control; as a consequence the army had to be deployed in some of the areas where violence occurred.
- In most cases, voters seemed highly sensitized to polling procedures as they knew exactly what to do once in the polling station;
- The Mission noted the presence of party agents and representatives of candidates in all polling stations visited. Besides party and candidate representatives, there were domestic observers from a wide range of civil society organizations at the polling stations visited. These groups were able to carry out their duties without hindrance.
- Most of the ZESN observers noted that after the close of polls, counting took place in poorly lit facilities.
- However logistical challenges on Election Day did not ultimately undermine the credibility of the process.

4. Preliminary Recommendations

To address the challenges and shortcomings highlighted above, the ZESN Mission would like to recommend the following:

MEC should:

- Ensure continuous review of the voter register. Verification of the register should be done well ahead of Election Day. Copies of the final register should be given political parties and candidates in reasonable time to allow for these interested parties to examine it.
- Concerted efforts need to be made to ensure that the reach of voter education is broadened.
- Institutional strengthening should include retaining of MEC's district and constituency election monitors. This will help reduce the bottlenecks that appeared during results transmission on after Election Day.

Government Should:

- Ensure that MEC is adequately resourced.
- Adequate security personnel are deployed to ensure security of the key stages of the election process.

5. Election Results

Presidential Election Results

The leader of the Democratic Progressive Party, Peter Mutharika, was declared winner of Malawi's presidential election.

Candidate	Party	Votes	%
Peter Mutharika	Democratic Progressive Party	1,904,399	36.4
Lazarus Chakwera	Malawi Congress Party	1,455,880	27.8
Joyce Banda	People's Party	1,056,236	20.2
Atupele Muluzi	United Democratic Front	717,224	13.7
Kamuzu Chibambo	People's Transformation Party	19,360	0.4
Mark Katsonga	Progressive Party Movement	15,830	0.3
John Chisi	Umodzi Party	12,048	0.2
George Nnesa	Tisinthe Alliance	11,042	0.2
James Nyondo	National Salvation Front	10,623	0.2
Hellen Singh	United Independent Party	9,668	0.2
Friday Jumbe	Labour Party	8,819	0.2
Davis Katsonga	Chipani cha Pfuko	7,454	0.1
Invalid/blank votes		56,675	–
Total		5,288,258	100
Registered voters/turnout		7,475,806	70.8

Parliamentary Results:

Party	Seats Won
Alliance for Democracy (Aford)	1
Chipani cha Pfuko	1
Democratic Progressive Party (DPP)	50
Malawi Congress Party (MCP)	48
People's Party (PP)	26
United Democratic Front (UDF)	14
Independents	52
Total	192

* note that elections were not held in one constituency following the death of one of the contesting candidates.

Parliamentary Elections by Gender

Females	30
Males	162
Total	192

6. Conclusion

The ZESN Mission wishes to commend the people of Malawi for their responsible, orderly and peaceful conduct during the elections. While there were a number of shortcomings identified throughout the electoral process, the Mission is of the view that the 2014 tripartite elections were conducted, to a large extent, in compliance with the constitutional and legal framework in force in Malawi, as well as universally accepted principle.