EISA PRE-ELECTION ASSESSMENT MISSION REPORT

REPUBLIC OF MALAWI
7 APRIL – 13 APRIL 2019
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**ABBREVIATIONS AND ACRONYMS**

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<tr>
<th>Abbreviation</th>
<th>Full Form</th>
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<tbody>
<tr>
<td>AU</td>
<td>African Union</td>
</tr>
<tr>
<td>CCAP</td>
<td>Church of Central Africa Presbyterian</td>
</tr>
<tr>
<td>CMD</td>
<td>CMD Centre for Multiparty Democracy</td>
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<tr>
<td>CSOs</td>
<td>Civil society organisations</td>
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<tr>
<td>EISA</td>
<td>Electoral Institute for Sustainable Democracy in Africa</td>
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<tr>
<td>EOM</td>
<td>Election Observation Mission</td>
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<tr>
<td>FPTP</td>
<td>First-past-the-post</td>
</tr>
<tr>
<td>GEER</td>
<td>Gender Elections Engagement Room</td>
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<tr>
<td>MACRA</td>
<td>Malawi Communications Regulatory Authority</td>
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<tr>
<td>MBC</td>
<td>Malawi Broadcasting Corporation</td>
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<tr>
<td>MCP</td>
<td>Malawi Congress Party</td>
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<td>MEC</td>
<td>Malawi Electoral Commission</td>
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<td>MISA</td>
<td>Media Institute of Southern Africa</td>
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<tr>
<td>MPLCs</td>
<td>Multiparty Liaison Committees</td>
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<tr>
<td>NECOF</td>
<td>National Elections Consultative Forum</td>
</tr>
<tr>
<td>NICE</td>
<td>National Initiative for Civic Education</td>
</tr>
<tr>
<td>NGOS</td>
<td>Non-governmental organisations</td>
</tr>
<tr>
<td>PAM</td>
<td>Pre-election Assessment Mission</td>
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<tr>
<td>PEMMO</td>
<td>Principles for Election Management, Monitoring and Observation in the SADC Region</td>
</tr>
<tr>
<td>PP</td>
<td>Peoples party</td>
</tr>
<tr>
<td>PVT</td>
<td>Parallel vote tabulation</td>
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<tr>
<td>SADC</td>
<td>Southern African Development Community</td>
</tr>
<tr>
<td>ToT</td>
<td>Training of trainers</td>
</tr>
<tr>
<td>UDF</td>
<td>United Democratic Front</td>
</tr>
<tr>
<td>UTM</td>
<td>United Transformation Movement (UTM)</td>
</tr>
<tr>
<td>VE</td>
<td>Voter education</td>
</tr>
<tr>
<td>VR</td>
<td>Voter registration</td>
</tr>
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</table>
1. EXECUTIVE SUMMARY

In line with its mission to promote credible elections and citizen participation and to strengthen democratic political institutions, the Electoral Institute for Sustainable Democracy in Africa (EISA) deployed a Pre-Election Assessment Mission (PAM) to Malawi from 8-12 April 2019. The purpose of the PAM was to assess the state of preparedness of the Malawi Electoral Commission (MEC), political parties, civil society organisations (CSOs) and other stakeholders for the tripartite elections scheduled for 21 May 2019.

The PAM was also tasked with assessing the pre-election context of the election to ascertain whether conditions were conducive for the conduct of credible elections in line with regional and international norms such as the African Charter on Democracy Elections and Governance and the Principles for Election Management, Monitoring and Observation (PEMMO).

During its stay in Blantyre and Lilongwe, Malawi, the mission met with all the key stakeholders in the electoral process (See Appendix). EISA thanks these stakeholders for making themselves available to provide the necessary information.

The mission noted that the elections would take place under an amended Constitution and were expected to be tightly contested by President Peter Mutharika’s ruling Democratic Progressive Party (DPP), Lazarus Chakwera’s opposition Malawi Congress Party (MCP) and the newly formed United Transformation Movement (UTM) led by the current vice-president, Saulos Chilima.

Ahead of the elections there was a good level of cooperation between the MEC and CSOs and some CSOs intended to deploy local citizen observers across the country on election day. The PAM noted that although the MEC accredited more than 120 CSOs to conduct civic and voter education (CVE), only the National Initiative for Civic Education (NICE) obtained funding. The PAM further noted that the limited CVE might lead to manipulation of voters by politicians, thereby damaging their perception of and participation in the electoral process.

The mission determined that the MEC was adequately prepared for the conduct of the 2019 elections, the second tripartite elections in the country. The overall budget for the elections was MWK31.5 billion and elections were 100% funded by parliamentary appropriations, without donor support.

In its 2014 PAM report EISA recommended that the executive and legislature speed up election budget allocations to enable the MEC to fulfil its mandate in line with the electoral cycle. This appears to have happened – the PAM was informed that the MEC has received all funds from the government.

EISA appreciates the financial support of the United Kingdom Government.
2. HISTORICAL BACKGROUND AND CONTEXT OF THE 2019 ELECTIONS

Malawi is the seventh-poorest country in the world in terms of annual GDP, a situation aggravated by the fact that the country’s population has increased from under four million in 1964 to 18 million today. While GDP has increased by ten times in real terms since 1964, the population increase has nullified half the gain.

The country gained its independence from Britain in 1964, before which it was known as the British Protectorate of Nyasaland. President Hastings Kamuzu Banda of the Malawi Congress Party (MCP) become the first president of the Independent Malawi Republic.

President Banda and his MCP remained dominant, introducing a one-party state system of governance in 1966, marking the beginning of Malawi’s second Republic. All opposition parties ceased to exist.

In August 1992 the Livingstonia Synod of the Church of Central Africa Presbyterian set up a committee to campaign for a national referendum on multiparty politics. Malawi returned to multiparty politics in 1993 after Malawians voted overwhelmingly in a referendum for a return to multiparty democracy.¹

In the 1994 elections, in which multiparty democracy was reintroduced, Bakili Muluzi of the United Democratic Front (UDF) emerged as the winning candidate, with 47.16% of the popular vote. The UDF dominated politics in Malawi in the 1990s. After two terms in office (1994-1999) Muluzi and his allies attempted to extend the presidential term by altering section 83(3) of the Constitution. The ‘third-term’ Bill was withdrawn in the face of fierce opposition, but the issue had divided Malawians, causing deep rifts between political parties and coalitions as well as within the UDF.

Following the defeat Muluzi by-passed his vice-president, Justin Malewezi, to anoint an outsider, the Minister of Economic Planning and Development, Bingu wa Mutharika, as his successor and the UDF’s presidential candidate. Mutharika and the UDF won the 2004 elections, with Malewezi, who ran as an independent candidate, trailing in fifth position.

In 2005, after months of intra-party conflict that led to his isolation, Mutharika broke away from the UDF to form his own party, the Democratic Progressive Party (DPP). The DPP was accused of violating the controversial Section 65(1) of the Constitution following the co-option of members of Parliament from other parties, who had, effectively, crossed the floor but failed to vacate their seats, as mandated in that section.²

The EISA PAM noted that Section 65 remains unchanged but has never been enforced.

Mutharika and the DPP’s first test of strength came in the 2009 elections when the UDF attempted to nominate former President Bakili Muluzi as its presidential candidate on the basis that the constitutional presidential term limit is only relevant for two consecutive terms. However, the MEC

² While Section 65 provides that an MP who ceases to be a member of the political party that sponsored his/her election and joins another party has crossed the floor and the Speaker is required to declare the seat vacant, it is unclear about the situation with independent candidates.
rejected this argument and barred Maluzi from standing. When Muluzi took the matter to the Constitutional Court the MEC’s decision was upheld. President Wa Mutharika won a second term, with 66.7% of the vote in the 2009 elections.

When Mutharika died suddenly on 5 April 2012 his allies attempted to conceal his death and to institute an unconstitutional succession plan but, as a result of various interventions, Joyce Banda, the then vice-president was sworn into office as mandated by the Constitution. Because she had been isolated by the late president, she faced intra-party conflicts and decamped from the DPP to form the People’s Party (PP) in 2014.

Again, MPs parted ways with their parties, causing divisions among parties and debates about Section 65.

Joyce Banda quickly won the confidence of donors and the public by repealing laws passed during Mutharika’s regime which were regarded as suppressing the media and civil society activists. It was during her tenure that the Gender Equality Act was passed.

The 2014 elections were the first test for the PP. Months before the elections Malawi made international headlines with the infamous ‘Cashgate’ scandal, in which billions of Malawi Kwacha were lost through corruption in the public sector. An audit report indicated that funds were channelled from government accounts to vendor accounts for goods and services that were never supplied.\(^3\) While the corruption was uncovered during Joyce Banda’s tenure, the illegal practices dated back to Bingu wa Mutharika’s presidency.

In response to the scandal, Peter Mutharika, in his electoral campaign, pledged to fight corruption in government.\(^4\) The fight against corruption was a feature of several of the campaigns in that election.

On 30 May 2014 the MEC announced the presidential election results. Table 1 shows a narrow win for Mutharika, who received 36.4% of the total 5 228 583 votes cast, ahead of Lazarus Chakwera, who won 27.8%, followed by Joyce Banda, who received 20.2% of the vote and the nine other opposition leaders who shared the remaining 15.5%.

On 2 June 2014, nearly 72 hours after the announcement of the presidential results, the MEC announced the parliamentary elections results for 192 constituencies (see Table 2).


Table 1: 2014 Presidential Results

<table>
<thead>
<tr>
<th>Candidate</th>
<th>Party</th>
<th>Votes</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Peter Mutharika</td>
<td>Democratic Progressive Party (DPP)</td>
<td>1,904,399</td>
<td>36.40%</td>
</tr>
<tr>
<td>Lazarus McCarthy Chakwera</td>
<td>Malawi Congress Party (MCP)</td>
<td>1,455,880</td>
<td>27.80%</td>
</tr>
<tr>
<td>Joyce Hilda Banda</td>
<td>People’s Party (PP)</td>
<td>1,056,236</td>
<td>20.20%</td>
</tr>
<tr>
<td>Atupele Muluzi</td>
<td>United Democratic Front (UDF)</td>
<td>717,224</td>
<td>13.70%</td>
</tr>
<tr>
<td>Kamuzu Walter Chibambo</td>
<td>People’s Transformation Party (PETRA)</td>
<td>19,360</td>
<td>0.40%</td>
</tr>
<tr>
<td>Mark Katsonga Phiri</td>
<td>People’s Progressive Movement (PPM)</td>
<td>15,830</td>
<td>0.30%</td>
</tr>
<tr>
<td>Prof John Chisi</td>
<td>Umodzi Party (UP)</td>
<td>12,048</td>
<td>0.20%</td>
</tr>
<tr>
<td>George Nnenza</td>
<td>Malawi Forum for Unity and Development (MAFUNDE)</td>
<td>11,042</td>
<td>0.20%</td>
</tr>
<tr>
<td>James Mbowe Nyondo</td>
<td>National Salvation Front (NASAF)</td>
<td>10,623</td>
<td>0.20%</td>
</tr>
<tr>
<td>Abusa Helen Singh</td>
<td>United Independent Party (UIP)</td>
<td>9,668</td>
<td>0.20%</td>
</tr>
<tr>
<td>Friday Anderson Jumbe</td>
<td>National Labour Party (NLP)</td>
<td>8,819</td>
<td>0.20%</td>
</tr>
<tr>
<td>Aaron Davies Chester Katsonga</td>
<td>Chipani cha Pfuko (CCP)</td>
<td>7,454</td>
<td>0.10%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>5,228,583</strong></td>
<td><strong>99.90%</strong></td>
</tr>
</tbody>
</table>

Source: Malawi Electoral Commission

Table 2: 2014 Parliamentary Elections Results

<table>
<thead>
<tr>
<th>Party</th>
<th>Seats</th>
</tr>
</thead>
<tbody>
<tr>
<td>Independents</td>
<td>52</td>
</tr>
<tr>
<td>Democratic Progressive Party (DPP)</td>
<td>50</td>
</tr>
<tr>
<td>Malawi Congress Party (MCP)</td>
<td>48</td>
</tr>
<tr>
<td>Peoples Party (PP)</td>
<td>26</td>
</tr>
<tr>
<td>United Democratic Front (UDF)</td>
<td>14</td>
</tr>
<tr>
<td>Chipani Cha Pfuko (CCF)</td>
<td>1</td>
</tr>
<tr>
<td>Alliance For Democracy (AFORD)</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>192</strong></td>
</tr>
</tbody>
</table>

Source: Malawi Electoral Commission

The results of the 2014 elections indicate a regional voting pattern in which the south predominantly voted for the DPP, the central for the MCP, the eastern region for the UDF and the north for Joyce Banda – probably because her husband comes from that region.
2.1 Context
The 2019 tripartite elections – contested at presidential, parliamentary and local government levels – scheduled to take place on 21 May 2019, will be the sixth multiparty elections and the second tripartite elections to be held since the return to multiparty democracy. The elections are organised against the background of the historic transition of power to the opposition in 2014, when then President Joyce Banda (PP) lost to Peter Mutharika (DPP).

Three issues are significant factors in the political context and environment of the elections. They are: the rejection of electoral reforms (2017), the formation of Saulos Chilima’s new party, the United Transformation Movement, and Joyce Banda’s return.

2.1.1 The rejection of electoral reforms
For almost two decades there have been calls to reform Malawi’s electoral laws. Following the 2014 elections a national task force on electoral reforms (‘the task force’) was formed. Its members included the MEC, the Malawi Electoral Support Network (MESN), NICE and the Public affairs committee (PAC). The object of the task force was to formulate comprehensive reforms to the electoral laws. It submitted it’s report in 2017 (see Section 3).

In April 2017 the Law Commission released a report on electoral reforms, which were expected to be tabled in November during the parliamentary sitting. Despite attempts to block the tabling of the reform Bills, they were brought to Parliament, but it turned out that the intention of the government was to use its numerical advantage to block them. All but the Referendum Bill were rejected and even that was amended before it was accepted. The initial clause, which empowered citizens to call for a referendum, was removed, leaving the president as the only authority enabled to do so.⁵

2.1.2 The formation of the United Transformation Movement
Party splits appear to be a recurrent feature in Malawi’s political landscape. The country’s vice-president, Saulos Chilima, announced his departure from the ruling DPP in June 2018. In July he announced at a press conference the launch of a new political organisation, the United Transformation Movement (UTM), citing as the reason for his defection high levels of corruption within the DPP. He also expressed his intention of running for the presidency. Chilima was joined by other senior DPP members including the former President Bingu Wa Mutharika’s wife, Callista Mutharika.

Despite Mutharika’s pledge to fight corruption, his government has been at the centre of corruption scandals, the two most notable of which are:

- The involvement of the Minister of Agriculture in 2017 in irregular imports of maize from Zambia;⁶ and
- The more recent, US$4 million (MWK2.8 billion), police food rations contract that was linked to a DDP account in President Peter Mutharika’s name.⁷

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The fact that Chilima is basing his campaign on an anti-corruption platform comes as no surprise; anti-corruption is a standard plank in Malawian election platforms. The fact that the UTM does not yet have nation-wide structures makes it difficult to predict how it might do in the polls.

2.1.3 Joyce Banda’s return
In August 2018 Joyce Banda retained the leadership of her People’s Party and immediately declared her intention to run in the 2019 presidential election. However, a few months before the submission of nominations, the PP, the Tikonze Alliance and the UTM announced that they had entered into an alliance, with Chilima as the leader. Two days later the PP announced that it had pulled out of the alliance, citing the failure of the UTM to honour certain conditions.

In view of the fact that in 2014 the PP had won most of the vote in the country’s Northern region, it might play an important role within an electoral alliance.

The 2019 elections will take place in a situation of economic decline, dependence on donor funding and serious corruption scandals. The EISA PAM noted the concerns of stakeholders about the recent blanket promotion by the DPP of teachers in the civil service. A total of 19,944 teachers were promoted. However, those who had improved their qualifications to qualify for promotion were not considered in any way. In view of the fact that the MEC engages schoolteachers to serve as election officials, this could compromise the neutrality and professionalism of the electoral authority.

The pre-election period has also been characterised by increasing public concern about the intimidation of Mutharika’s opponents. Activists, journalists and opposition leaders have, in some instances, been threatened or arrested by security forces in terms of what has been seen as selective misinterpretation of the Protected Flag, Emblems and Names Act.

3. ELECTORAL FRAMEWORK
Five principal pieces of legislation govern elections in Malawi. They are: The Constitution, the Electoral Commission Act, the Parliamentary and Presidential Elections Act, the Political Parties Act and the Local Government Elections Act. Malawi has also ratified and signed major international, continental and regional treaties relating to human rights and the conduct of democratic elections.8

8 These include the Universal Declaration of Human Rights; the International Convention on Civil and Political Rights; the First and Second Optional Protocol to the International Convention on Civil and Political Rights; the Convention on the Political Rights of Women; the Convention on the Elimination of All Forms of Discrimination Against Women; the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women; The African Charter on Human and Peoples’ Rights; the Protocol to the African Charter on Human and Peoples’ Rights on the Establishment of an African Court on Human and Peoples’ Rights; the African Charter on Democracy, Elections and Governance; the SADC Principles and Guidelines Governing Democratic Elections and the SADC Protocol on Gender and Development.
3.1. The constitutional and legal framework
The Constitution of Malawi sets the legal framework for the conduct of elections, guaranteeing fundamental freedoms and human rights. It also provides for freedom of information, freedom of association and freedom of assembly.

Article 67 of the Constitution provides for ‘Parliament to be dissolved on 20 March in the fifth year after its election, and the general elections for the next National Assembly to take place on the Tuesday of the third week of May that year.’ Article 80 of the Constitution, however, provides that the presidential election shall take place concurrently with the election of members of the National Assembly. The EISA PAM notes that the 21 May tripartite elections will be held in line with the Constitution.

Article 75 of the Constitution also provides for the establishment of a statutory body, the Malawi Electoral Commission, to manage the conduct of democratic elections and referenda, delimit constituencies, direct and supervise electoral operations including voter registration and conduct civic and voter education and create election awareness.

Other laws that guide the conduct of elections in Malawi are:

*The Electoral Commission Act*, which provides for the appointment of members of the commission and the establishment of a secretariat, sets out its mandate and responsibilities and provides for its financing and functions.

*The Parliamentary and Presidential Elections Act*, which regulates the conduct of the election of members of Parliament and of the president. It details the procedures for nomination of candidates, political campaigns, polling, counting, tallying, declaration of election results and election petitions in presidential and parliamentary elections.

*The Local Government Elections Act*, which governs local government elections.

*The Political Parties Act 2018*, which regulates party registrations, financing and functioning and prohibits handouts within 90 days of the elections, while allowing for campaign materials to be distributed.

*The Referendum Act*, which provides for the conduct of referenda.

The EISA PAM noted that although the legal framework for elections provides for the MEC and the High Court to resolve electoral disputes it does not provide a clear timeline for the resolution or determination of the disputes.

In 2017 the task force submitted suggested electoral reforms to the Malawi Law Commission. It proposed the following legislation:

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9 The Malawi Law Commission is a public body established in terms of Article 132 of the Constitution. Among other things it is mandated to develop new legislation and review all statutory and customary laws in the country.
• The Constitution (Amendment) Bill, which sought to introduce the absolute majority system in the election of the president and reserve seats for female candidates in Parliament.
• The Electoral Commission (Amendment) Bill, which sought to provide for a selection panel to appoint electoral commissioners in order to ensure that the appointment and selection of candidates is transparent.
• The Elections Management Fund Bill, which proposed that there should be legislation to establish and govern the election budget to ensure that funding is readily available for the conduct of elections.
• The Presidential, Parliamentary and Local Government Elections Bill, aimed at consolidating the Presidential and Parliamentary Elections Act and the Local Government Elections Act into one piece of legislation to be known as the Presidential, Parliamentary and Local Government Elections Act. The proposed Bill included the application of a citizenship criterion for all candidates and minimum educational qualifications.
• The Assumption of Office of President (Transitional Arrangements) Bill sought to provide for the establishment of a Transition Team to ensure a smooth transition after each election.
• The Referendum Bill was the only piece of legislation that was enacted. The Bill lists subject matter that might become the subject of a referendum, restrictions on referenda and the conduct of referenda.

3.2 The electoral system
Malawi uses a first-past-the-post (FPTP) electoral system for the presidential, parliamentary and local government elections. Section 95 of the Parliamentary and Presidential Elections Act provides that in any election the candidate who has obtained a majority of votes shall be declared by the commission to have been duly elected. Article 80 of the Constitution of Malawi provides for the president to be elected by a majority of the electorate through direct, universal and equal suffrage. Therefore, a candidate can win a presidential election with a minority vote. For instance, in the 2014 presidential election Peter Mutharika won with only 36.4% of the valid votes cast.

There have been growing demands for the introduction of an absolute majority system for the presidential election. The EISA PAM believes such a system will strengthen the legitimacy of the Office of the President. Furthermore, it will strengthen the inclusivity of the process as the overall outcome will be based on the will of the majority.

3.3 Party and campaign finance
Party and campaign finance are regulated by the Constitution and the Political Parties Act of 2018. The legal framework provides for both public and private funding. Article 40 of the Constitution provides that parties that secure ‘more than one-tenth of the national vote in parliamentary elections’ are entitled to state funds. Section 22 of the Act provides that funds received by political parties may be used for the following purposes:

(a) promoting the representation of the party in Parliament;
(b) promoting active participation of individual citizens in political life;
(c) covering the election expenses of a political party and the broadcasting of the policies of the party;
(d) the organisation by the party of civic education in democracy and other political processes; and
(e) administrative and staff expenses of the party.

Subsection 2 prohibits the use of state funding for personal gain. Parties receiving state funding are required to maintain accounts and submit reports to the Registrar. The accounts of the political parties are audited by the Auditor General. Section 24 of the Political Parties Act 2018 provides that the Registrar may request that the funds for a certain political party be suspended if that party does not comply with the Act. Prior to the withdrawal of funding by the National Assembly the Registrar is required inform the party, with reasons, of its intention to withdraw funding. The Registrar must then request the party to provide reasons why its funding should not be suspended by the state.

Section 66 of the Parliamentary and Presidential Elections Act and Section 27 of the Political Parties Act provide that political parties are permitted to solicit donations from their members, private individuals and organisations within or outside of Malawi, subject to the following criteria:

- Donations in cash or kind, received cumulatively or once-off, with a monetary value of at least MWK1000 000 (US$1 346, as at 24 April 2019) from an individual donor and at least MWK2000 000 (US$2 692, as at 24 April 2019) from an organisation must be declared to the Registrar within 90 days of receipt; and
- Persons and organisations who have donated to political parties must declare to the Registrar all donations that exceed MWK1000 000 for individuals and MWK2000 000 for organisations.

Parties are required to deposit funds received from private sources in a separate commercial bank account and records must be kept safe.

Only the president, secretary-general or treasurer-general may formally declare the final accounts filed with the Registrar of Political Parties. Failure to comply with the requirements may result in the suspension of state funding and failure by donors or political parties to declare their assets will lead to them being liable for a fine equal to the amount of the funds or the value of the assets not declared or in relation to which false information was given, and to imprisonment for two years.

Donations from state-owned enterprises are not permissible. Section 41 of the Political Parties Act prohibits the issuance and procurement of handouts. The penalty for handouts is MWK10 000 000 (US$13 461, as at 24 April 2019).

The EISA PAM commended the fact that the regulatory framework for party and campaign finance provides for mandatory disclosure of donations above certain ceilings and the prohibition on handouts and donations by state-owned enterprises. The PAM, however, noted the following gaps in the framework:

- The absence of ceilings on campaign expenditure;
- The absence of ceilings on donations; and
- The absence of the definition and prohibition of abuse of state resources by government officials.

The EISA PAM believes these gaps create opportunities for the undue influence of private funders on the electoral process.
3.4 Election management
Articles 75 and 76 of the Constitution provide for the establishment of an Independent Electoral Commission. Article 76 also grants the High Court the right of judicial review to ensure that the commission acts in accordance with the Constitution and Acts of Parliament. It further gives the National Assembly the power to confirm constituency boundaries but does not empower it to alter them, except upon the recommendation of the commission.

The commission comprises a chairperson, who is a judge nominated by the Judicial Service Commission, and no fewer than six other members, who are appointed by the president in consultation with the leaders of the political parties represented in the National Assembly. Members may be removed by the president on the advice of the Public Appointments Committee, for incompetence or incapacity.

Among the MEC’s main responsibilities\(^\text{10}\) are to:

- Delimit constituencies;
- Determine election petitions;
- Direct and supervise electoral operations including voter registration;
- Ensure the security of elections; and
- Conduct civic and education and create election awareness.

Based on its consultations, the EISA PAM noted that the MEC displayed a degree of transparency in the management of the electoral process and its chair was highly regarded. The EISA PAM further noted with satisfaction the MEC’s commitment to a transparent electoral process through the provision of regular emails updating stakeholders about its activities and progress.

**4. KEY FINDINGS ON THE PRE-ELECTION PHASE**

The EISA PAM assessed Malawi’s readiness for the 2019 tripartite elections in the following areas: constituency delimitation, voter registration, political party registration, nominations, conflict management and voter education. The findings for each section are summarised below.

**4.1 Constituency delimitation**

Article 76(2) of the Constitution and Article 8 of the Electoral Commission Act provide for the commission to determine the number of constituencies and wards and supervise the demarcation of boundaries. The commission is required to review existing constituency boundaries at intervals of not more than five years.

The PAM noted, however, that the MEC has not performed this task in the past 21 years – the last demarcation took place in 1998, increasing the number of constituencies from 177 to the present 193.

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\(^{10}\) See Article 76 of the Constitution and Section 8 of the Electoral Commission’s Act.
In February 2016 the MEC presented a budget of MWK300 million (US$409 836) to re-demarcate all 193 constituencies. This budget included field technical work and a consultant that had been identified. However, the EISA PAM was informed that this exercise did not take place because there were no reliable census data.

With the census only taking place in 2018 the commission retained the 193 existing constituencies for the 2019 elections, stating that it intended to do a thorough constituency demarcation exercise in 2020 after the National Statistical Office has conducted a census.

The EISA PAM noted that, the commission only made re-alignments and increased the number of polling centres from 4 445 in the 2014 elections to 5 002 for the 2019 elections.

4.2 Voter registration

Section 15 of the Parliamentary and Presidential Elections Act provides that every citizen of Malawi residing in Malawi and who, on or before polling day, has attained the age of 18 years shall be eligible to register as a voter in an election. The MEC is responsible for registering voters and maintaining the voter register. The EISA PAM noted that the regulations for registration enshrine the principles of universal adult suffrage.

According to a 2018 Population and Housing Census, the population of Malawi is 17 563 749. The voting age population is estimated to be 49% of the total population.

Noting that the optical mark recognition (OMR) system has presented challenges, the MEC adopted a biometric voter registration system (BVRS) for the 2019 elections, meaning that every eligible voter was required to register. It was noted, however, that the MEC could not secure sufficient BVRS equipment and thus used a six-phase voter registration process, with each phase taking 14 days. The process started on 26 June and was concluded on 4 October 2018.

From 6 November to 14 December 2018 the commission opened all 5 002 registration centres for five days in four phases for people to verify the entries. Other means of checking include via text messages on mobile phones. The EISA PAM noted that more than 530 000 people verified their details using this facility. See Table 3 for statistics.

Table 3: Voter Registration statistics – by gender

<table>
<thead>
<tr>
<th>Gender</th>
<th>Numbers</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Women</td>
<td>3 13 578</td>
<td>56%</td>
</tr>
<tr>
<td>Men</td>
<td>3 045 992</td>
<td>44%</td>
</tr>
<tr>
<td>Total</td>
<td>6 859 570</td>
<td>100%</td>
</tr>
</tbody>
</table>

The number of young voters (between 18 and 35) who registered was 3 729 588, representing 54% of all registered voters. A total of 2 113 620 registered voters (57%) are female and 1 615 968 (43%) are male.
At the meeting with the EISA PAM the MEC acknowledged that the BVR enhanced the efficiency of the entire voter registration process, making it faster and more accurate than the old registration system.

While stakeholders consulted by the EISA PAM believed the voter registration exercise was generally smoother than it had been in previous elections, this was not entirely true. There were reports of missing BVR kits and duplicate registration certificates of voters who had registered at a centre in Lilongwe being found at another centre in Mangochi. Following these reports the commission was audited by a forensic IT audit team commissioned by the Centre for Multiparty Democracy (CMD). The team concluded that the system had not been compromised and the data were intact. As a result, members of the CMD released a statement indicating that they accepted the findings.

4.3 Political party and candidate nominations
Political parties in Malawi are regulated by the Political Parties Act of 2018. Section 2 of the Act defines political parties as ‘a combination of natural persons who have constituted themselves with an objective to bring about the election of its candidates to public office to strive for power by the electoral process and, by this means, to control or influence the actions of government’.

The Act provides for the establishment of the Office of the Registrar. Section 8(2)(a) provides for the Registrar to register, regulate, monitor, investigate and supervise political parties.

Sections 36 and 48 of the Parliamentary and Presidential Elections Act provide for the nomination of members of the National Assembly and the Presidential Office.

Party nominations for the National Assembly are to be done through party primaries. The MEC gazetted the nomination papers on 3 January 2019. Prospective candidates were afforded the opportunity to collect the nomination papers from the District Commissioner’s office and from constituency returning officers. The presentation of nomination papers by candidates or their representatives to the returning officers took place from 4 to 8 February 2019. Parliamentary and local government candidates are required to present their nomination papers to their respective constituency returning officers while presidential candidates present theirs to the commission at the COMESA Hall in Blantyre.

Eligibility criteria for presidential candidates are:
- citizenship of Malawi by birth or descent;
- having attained the age of 35 years;
- nomination by at least ten registered voters in each district, each of whom must sign the nomination paper in the prescribed form; and
- payment of a non-refundable nomination fee of MWK2 000 000.00.

No person shall be eligible for nomination as a candidate for election as president if that person
- 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;
- holds a public office or is a member of Parliament, unless he or she resigns;
• is a serving member of the Defence Forces or Malawi Police Service; or
• 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 of members of Parliament.

Nine independent candidates and 15 candidates representing political parties collected nomination papers. The EISA PAM noted with disappointment that only three of the 24 candidates were women. The commission received 10 nomination papers and rejected three. The three rejected papers were received from independent candidates. The rest did not submit their forms. See table 3 for the list of presidential candidates and their running mates.

Table 4: Presidential candidates and their running mates

<table>
<thead>
<tr>
<th>Party</th>
<th>Candidate and running mates</th>
<th>Gender</th>
</tr>
</thead>
<tbody>
<tr>
<td>Malawi Congress Party (MCP)</td>
<td>Dr Lazarus McCarthy Chakwera</td>
<td>M</td>
</tr>
<tr>
<td></td>
<td>Mr Sadik Mia</td>
<td>M</td>
</tr>
<tr>
<td>Umodzi Party (UP)</td>
<td>Prof John Chisi</td>
<td>M</td>
</tr>
<tr>
<td></td>
<td>Mr Timothy Watch Kamulete</td>
<td>M</td>
</tr>
<tr>
<td>Mbakuwaku Movement for Development (MMD)</td>
<td>Mr Peter Dominic Sinosi Driver Kuwani</td>
<td>M</td>
</tr>
<tr>
<td></td>
<td>Mr Archbold McLenard Kalawang'oma</td>
<td>M</td>
</tr>
<tr>
<td>United Transformation Movement (UTM)</td>
<td>Dr Saulos Klaus Chilima,</td>
<td>M</td>
</tr>
<tr>
<td></td>
<td>Dr Michael Bizwick Usi</td>
<td>M</td>
</tr>
<tr>
<td>United Democratic Front (UDF)</td>
<td>Hon Atupele Austin Muluzi</td>
<td>M</td>
</tr>
<tr>
<td></td>
<td>Mr Frank Tumpale Mwenifumbo</td>
<td>M</td>
</tr>
<tr>
<td>Tikonze Peoples Movement (TPM)</td>
<td>Dr Cassim Chilumpha11</td>
<td>M</td>
</tr>
<tr>
<td></td>
<td>Miss Zione Akuziona Matumba</td>
<td>F</td>
</tr>
<tr>
<td>Independent</td>
<td>Mr Reverend D H Kaliya,</td>
<td>M</td>
</tr>
<tr>
<td></td>
<td>Mr Mabvuto Alfred Ng'ona</td>
<td>M</td>
</tr>
<tr>
<td>Democratic Progressive Party (DPP)</td>
<td>Professor Arthur Peter Mutharika</td>
<td>M</td>
</tr>
<tr>
<td></td>
<td>Mr Everton Herbert Chimulirenji</td>
<td>M</td>
</tr>
</tbody>
</table>

Source: Malawi Electoral Commission

After receiving the nomination papers the MEC rejected those of the National Salvation Front’s Loudon Titan Malingamoyo Phiri and his running mate, Ethel Vivian Makoko, on the basis that they had failed to provide a minimum requirement of 10 electors in any of the 28 districts.

The EISA PAM noted with satisfaction that the presidential list was published on time and in line with section 48 of the Parliamentary and Presidential Elections Act.12

11 The Commission has since struck Chilumpha’s name from the list of candidates after a court decision that his nomination was invalid.
12 The law gives the commission seven days to publish the names of all candidates who have been validly nominated.
The EISA PAM also noted that Malawi falls short of its international and regional obligations to promote women’s political participation both within party structures and as candidates. Of the 16 candidates for president and their running mates only one is a woman. The EISA PAM also believes the steep nomination fees may have prevented aspirants from disadvantaged groups, particularly women and youth, from standing.

To qualify as a member of Parliament a candidate must:

- be a citizen of the Republic, who, at the time of nomination, has attained the age of 21 years;
- be able to speak and read the English language well enough to take an active part in the proceedings of Parliament;
- be registered as a voter in a constituency;
- be nominated by at least ten voters registered in the ward in which the candidate intends to be a candidate; and
- pay a non-refundable nomination fee of MWK500 000.00 (US$673, 24 April 2019)(men) and MWK250 000.00 (US$ 337, 24 April 2019) (women).

No person shall be qualified to be nominated or elected as a member of Parliament who:

- owes allegiance to a foreign country;
- is, under any law in force in the Republic, adjudged or otherwise declared to be mentally incompetent;
- has, within the last seven years, been convicted by a competent court of a crime involving dishonesty or moral turpitude;
- is an undischarged bankrupt, having been adjudged or otherwise declared bankrupt under any law in force in the Republic;
- holds, or acts in any public office or appointment, except where the Constitution provides that a person shall not be disqualified from standing for election solely on account of holding that office or appointment or where that person resigns from that office in order to stand;
- belongs to, and is serving in the Defence Force of Malawi or the Malawi Police Service; or
- 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 members of Parliament or local government elections.

In line with Section 41A of the Parliamentary and Presidential Elections Act, the MEC is required to publish the final list of candidates 14 days after receiving the nominations. The EISA PAM noted with satisfaction that the parliamentary list was published on time.

4.4 Conflict Management

Article 76(2) of the Constitution and Section 3 of the Local Government Elections Act provide for the MEC to determine electoral petitions and complaints related to the conduct of any elections.

However, Section 100 of the Parliamentary and Presidential Elections Act provides for election petitions to be heard by the High Court. The EISA PAM noted that this contradicts Article 76(2) of the Constitution and Section 3 of the Local Government Elections Act.
Section 100 of the Parliamentary and Presidential Elections Act further provides for petitions to be presented within seven days of the declaration of the result of the election, including Saturday, Sunday or a public holiday. However, the EISA PAM noted that the law is not clear about whether the seven-day period starts as soon as the parliamentary results at constituency level are announced or after the announcement of national results?

In managing conflicts and maintaining good stakeholder relations, the commission conducts regular consultations with various stakeholders at national level through the National Elections Consultative Forum (NECOF) and at district level through its Multiparty Liaison Committees (MPLCs). In this way, the commission consults political parties on various issues and keeps all stakeholders informed of its management of the elections.

The EISA PAM was informed that the commission also holds individual meetings with leaders of political parties represented in Parliament and group meetings with political parties not represented in Parliament. In other cases, the commission interacts with the CMD and traditional leaders to address various electoral issues.

Stakeholders who met with the EISA PAM expressed confidence in the independence of the judiciary to rule fairly on complaints and appeals.

4.5 The media

Article 36 of the Constitution provides for freedom of the press and Article 37 for access to information. Malawi enjoys a diversity of media outlets ranging from print to electronic media. There are about 80 media houses comprising both national and community broadcasters, the majority being privately owned. The EISA PAM noted that Malawi has improved its ranking in the Reporters without Frontiers World Press Freedom Index from 73 out of 180 countries in 2014 to 68 in 2019.

Section 42 of the Local Government Elections Act and section 58 of the Parliamentary and Presidential Elections Act provide for equal treatment of political parties and candidates. The law also prohibits the use of inflammatory, defamatory or insulting language or language that constitutes incitement to public disorder, insurrection, hate, violence or war.

Section 3 of the Communications Act establishes an independent media regulatory body, the Malawian Communication Regulatory Authority (Macra). Macra’s mandate is to regulate and monitor the provision of communications services. However, stakeholders who met with the EISA PAM raised concerns about the fact that Macra’s board members are appointed by the Cabinet and that this has undermined its independence and ability to discipline the state broadcaster for unbalanced coverage.

The MEC and media institutions jointly adopted the Media Code of Conduct for media reporting on the 2019 elections. This obliges media houses to provide fair and balanced coverage of the campaigns, rallies, meetings and conferences of all parties and candidates during the campaign period.

In its meeting with the EISA PAM the MEC indicated that it has placed at least one ‘stringer’ (journalist) in each council in the country to report on activities during the elections. The MEC does this as a way of supplementing the work of the centralised media houses, which cannot afford the number of reporters required to reach out to the masses.
In line with section 27 of the Communications Act, Macra resuscitated the Election Broadcasting, Monitoring and Complaints Committee to handle election-related complaints against broadcasters. Members of the committee include the:

- Malawi Electoral Commission
- Malawi Communication Regulatory Authority
- Malawi Law Society
- MISA Malawi
- Centre for Multiparty Democracy
- Media Council of Malawi

The committee is chaired by Commissioner Dr Mastern Moffat Banda, the chairperson of Media, Civic and Voter Education Committee of the MEC and the committee secretary is the director general of Macra. The EISA PAM noted that the composition of the committee is uneven, with Macra entitled to three representatives, while other organisations have only one each.

Many stakeholders expressed concerns about the lack of professionalism of the media. The national broadcaster is said to be pro-DPP, while private media are pro-opposition.

The EISA PAM commends the efforts by the MISA and the 2019 debates taskforce\(^{13}\) in organising the presidential and running-mate debates ahead of the elections. Although the ruling party did not attend the debates, they gave Malawians the opportunity to learn about the contents of the manifestos of those political parties and candidates who did participate.

### 4.6 Gender and minority rights

Section 20 of the Constitution prohibits all forms of discrimination against all persons and guarantees equal and effective protection against discrimination on grounds of race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, disability, property, birth or other status or condition.

In 1987 Malawi ratified the Convention on the Elimination of All Forms of Discrimination Against Women, which obliges signatories to take all appropriate measures to eliminate discrimination against women, including in regard to political participation. Malawi’s Gender Equality Act of 2013 domesticates the convention and aims for the equal integration of men and women in all aspects of society.

In 2005 Malawi also ratified the Protocol on the Rights of Women, better known as the Maputo Protocol. This guarantees women comprehensive rights, including the right to take part in the political process and to enjoy social and political equality with men. Malawi is also party to the

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\(^{13}\) The 2019 debates taskforce consists of MISA Malawi, the Malawi Broadcasting Corporation (MBC), the Times Group, Zodiak Broadcasting Station and civil society organisations Centre for Multiparty Democracy, Democracy Works Foundation, Civil Society Agriculture Network (CISANET), the Catholic Commission for Justice and Peace, the Malawi Law Society, PAC, Voluntary Service Organization, NICE and the National Democratic Institute.
1997 SADC Declaration on Gender and Development, which sets out a 50% benchmark for the level of representation of women in political life, and the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa, which also sets a target of equal representation of women at all levels in all electoral processes.

In an attempt to increase the political participation and representation of women in public office, the Ministry of Gender, Children, Disability and Social Welfare and the Royal Norwegian Embassy funded a consortium comprising Civil Society Strengthening and Action Aid Malawi to manage the 50:50 campaign programme. The EISA PAM noted, however, that Malawi falls short of its international and regional obligations to promote women’s political participation, both within party structures and as candidates.

It is commendable that the task force recommended the amendment of Article 62 of the Constitution, which reserves parliamentary seats for women candidates. However, this Bill has not been passed, dealing a blow to affirmative action efforts.

4.7 Civic and voter education
Article 76 of the Constitution and Section 8 of the Electoral Commission Act provide for the MEC to conduct civic and voter education and create election awareness. The EISA PAM noted that political parties and CSOs also conduct such programmes.

In its meeting with the EISA PAM, the MEC indicated that there is only one permanent staff member dedicated to civic and voter education in the 193 constituencies. Some of the activities conducted include football tournaments and roadshows across the country.

The EISA PAM learnt that more than 120 CSOs were accredited by the MEC to conduct voter and civic education. However, as at the time of the PAM’s visit none of these CSOs had secured funding to do so.

4.8 Civil society
The EISA PAM team noted the active participation of civil society in the electoral process. CSOs in Malawi have been a critical pillar in stabilising the political and electoral landscape and have been at the forefront of the campaigns for reforms. Ahead of the 2019 elections CSOs under the MESN umbrella are at the centre of pre-election observation.

The MEC informed the EISA PAM that it had accredited a total of 45 local observer organisations. The MEC also acknowledged the critical role played by MESN in electoral reform advocacy, youth sensitisation, parallel vote tabulation, observing voter registration and pre-election observation.

MESN, which comprises 27 organisations, including non-governmental and faith-based organisations, plans to deploy 1 400 volunteers as observers across the country on election day. It also plans to deploy 907 parallel vote tabulation observers. These observers will be expected to report to a national centre by means of text messages. MESN also deployed observers to assess the biometric voter registration exercise and, subsequently, deployed observers to cover thematic issues such as violence against women in elections under the auspices of the Gender Elections Engagement Room.
The EISA PAM commends the initiative of MESN in deploying 57 long-term observers to observe and assess key aspects of the electoral process, specifically voter registration, publication of the voters’ roll, party primaries, campaigns, media coverage and the petition process.

Overall, the EISA PAM noted that CSOs in Malawi operate freely and are able to engage the electoral process as part of their right to participate in public affairs.

4.9 Security
The Malawi Police Service will provide security during the election period. In her campaign launch speech MEC chairperson Justice Dr Jane Ansah SC, called on the police service to clear up the perception that it favours the incumbent party.

Section 4 of the Protected Flag, Emblems and Names Act provides that:

Any person who does any act or utters any words or publishes or utters any writing calculated to or liable to insult, ridicule or to show disrespect to or with reference to the President, the National Flag, the armorial ensigns, the public seal, or any protected emblem or protected likeness, shall be liable to a fine of £1,000 and to imprisonment for two years.

However, stakeholders reported that the uneven application of the Protected Flag, Emblems and Names Act by the Malawi police, who were seen to have targeted activists and opposition leaders, is causing increasing tensions.

In its meeting with the EISA PAM the MEC indicated that the police service will station two officers at each polling station, with an extra officer at each additional polling stream to provide security. The MEC also indicated that the Malawi Defence Force may be requested to assist with security during the storage and transportation of polling materials. Multiparty liaison committees will also need to be vigilant in ensuring the safety of the polling materials.

The EISA PAM noted that the perception of political bias by the police could have an impact on the credibility of the elections because security is a critical factor in the electoral process.

4.10 Campaign
Section 56 of the Parliamentary and Presidential Elections Act provides for the right of all political parties to campaign and to use public facilities during their campaigns. Section 57 provides for a period of two months for campaigning, closing 48 hours before polling day.

The electoral commission set the campaign period for the 2019 tripartite elections from 19 March to 19 May 2019. The EISA PAM noted with satisfaction that the timeframe complies with the provisions of the law.

Sections 58 to 61 of the Parliamentary and Presidential Elections Act guarantee the right of parties and candidates to campaign, to equal treatment, to freedom of expression and information and to freedom of assembly. All parties and candidates are, however, required to notify the district commissioner and the police in writing before holding a campaign rally.
The district commissioner is required to exercise the ‘first-come-first-served’ rule in cases where venues and times required by two or more political parties clash.

In line with section 61 of the Parliamentary and Presidential Elections Act, the MEC has prescribed a code of conduct for political parties and has put in place MPLCs to adjudicate cases of violence, thereby enabling dispute management and minimising political tension throughout the country.

Recognising the important role played by traditional leaders in elections, the MEC has developed a code of conduct for them. The commission brought traditional leaders from all over the country to discuss and adopt the code, which sets standard and best practice for chiefs and requires them not to take part in active politics and to be impartial and non-partisan in their work.

Some stakeholders who met with the EISA PAM expressed concerns about a lack of professionalism among some chiefs. The EISA PAM noted with concern reports that some chiefs blocked certain parties from holding rallies.

Section 41 of the Political Parties Act 2018 prohibits the distribution and procurement of handouts, imposing a penalty of MWK10 000 000 (US$13 477, 20 April 2019). In its 2014 tripartite elections report the NICE blames handouts for ‘polluting Malawi elections’, stating that they ‘result in the contest bordering on whose handouts are generous as opposed to who is articulating tangible issues of community or national interest’.14 The EISA PAM noted with concern MESN’s findings of the blatant violation of Section 41 of the Political Parties Act in its pre-election observation.15

4.11 Preparedness of the MEC
The PAM noted that the timetable approved by the MEC had been respected and the preparations were at an advanced stage.

<table>
<thead>
<tr>
<th>Event</th>
<th>Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vetting of ballot paper templates by party/candidates’ representatives</td>
<td>20-26 March 2019</td>
</tr>
<tr>
<td>Printing &amp; inspection of ballot papers and results sheets (including inspection of packaging) – outside Malawi</td>
<td>3 April-10 May 2019</td>
</tr>
<tr>
<td>Distribution and receipt of non-sensitive polling materials at councils from regional warehouses</td>
<td>23 April-1 May 2019</td>
</tr>
<tr>
<td>Receipt of ballot papers at the airport</td>
<td>13-15 May 2019</td>
</tr>
<tr>
<td>Distribution of ballot papers to councils from the airport</td>
<td>16 May 2019</td>
</tr>
<tr>
<td>Receipt and verification of polling materials at the councils</td>
<td>16-7 May 2019</td>
</tr>
<tr>
<td>Distribution &amp; Supervision of Polling materials to Stations (from councils)</td>
<td>18-9 May 2019</td>
</tr>
<tr>
<td>Opening and pre-checking of polling materials including ballot papers at the centre – stakeholders to be involved</td>
<td>19-20 May 2019</td>
</tr>
<tr>
<td>End of official campaign</td>
<td>06:00 19 May 2019</td>
</tr>
</tbody>
</table>

During the official campaign launch the MEC chairperson thanked the Malawi Government for fulfilling its obligation to disburse the funds approved in the elections budget. The EISA PAM was also informed that the MEC, with the assistance of the basket fund, will close the civic and voter education gap left by CSOs.

The MEC informed the EISA PAM that it had consulted on the electoral process with all stakeholders through the NECOF. The PAM commends this move as it improves the level of cooperation between stakeholders and contributes to the overall openness of the electoral process.

Procurement and delivery of various election materials is ongoing. Non-security materials such as ballot boxes have been procured and distribution to districts has commenced. The commission awarded the contract to Alghurair Printing and Publishing of Dubai, United Arab Emirates. There was general agreement among stakeholders that the MEC had the competence to discharge its duties.

The MEC issued a statement indicating that it could not conduct a ballot paper vetting exercise in Mwanza and Chikwawa, areas affected by Cyclone Idai. For that reason the commission had to reschedule the vetting exercise in those areas. The MEC assured all registered voters in flood affected areas that they will be allowed to vote without their voter certificates as long as they are registered voters. In cases where infrastructure designated as voting centres has been damaged the commission will provide tents for shelter during voting.

In 2014 the commission faced transport challenges during polling and these persisted during the voter registration exercise. Ahead of the 2019 elections the commission established a transport task force chaired by the Office of the President and Cabinet. However, the EISA PAM during its visit learned that the shortage of vehicles was still a problem.
APPENDIX

Stakeholders consulted
British High Commission
Centre for Multiparty Democracy – Malawi (CMD-M)
Democratic Progressive Party (DPP)
Malawi Congress Party (MCP)
Malawi Electoral Commission (MEC)
Malawi Electoral Support Network (MESN)
Malawi Human Rights Resource Centre
Media Institute of Southern Africa (MISA)
National Elections Systems Trust (NEST)
United Democratic Front (UDF)
About EISA

EISA is a non-partisan international non-governmental organisation that was established in 1996. It strives for excellence in the promotion of credible elections, citizen participation, and the strengthening of political institutions for sustainable democracy in Africa. Its main approach for achievement of its mission is technical assistance for capacity building of election management bodies (EMBs), political parties, parliaments, relevant government departments and civil society organisations (CSOs) operating in the democracy and governance fields throughout the African continent. EISA envisions an African continent where democratic governance, human rights and citizen participation are upheld in a peaceful environment.

EISA works throughout the African continent and spares no effort to reach and meaningfully support all of its five sub-regions. The Institute has a successful track record of providing technical assistance and advice to its pan-African, sub-regional and national partners throughout the continent, thus helping build solid institutional foundations for democracy. This technical assistance includes electoral system reforms; election monitoring and observation; constructive conflict management; strengthening of parliaments and selected democratic institutions; strengthening of political parties; capacity building for civil society organisations; and enhancing the institutional capacity of the election management bodies. EISA has signed Memoranda of Understanding with continental and sub-regional institutions such as the African Union (AU), the Pan-African Parliament (PAP), the East Africa Community (EAC), the Economic Community of Central African States (ECCAS) the Economic Community of West African States (ECOWAS) and the International Conference on the Great Lakes Region (ICGLR) Through these partnerships, EISA has supported the election units of these institutions. EISA supported national citizen observer networks in the areas of electoral reforms and observation in Rwanda, Mali Mozambique, Kenya, Chad, Madagascar, Malawi, Cote d'Ivoire and the DRC.

Headquartered in Johannesburg, South Africa, the Institute’s current and past field offices include Angola, Burundi, Central Africa Republic, Chad, Côte d’Ivoire, Democratic Republic of Congo, Egypt, Kenya, Madagascar, Mali, Mozambique, Rwanda, Somalia, Sudan, Zambia and Zimbabwe, a reflection of its broader geographical mandate.

Election observation provides an important foundation for EISA’s support to democratic processes in Africa. Through the deployment of its international observer missions, EISA provides an independent professional assessment of electoral processes which provides a basis for electoral reforms. Through its missions, the Institute is also able to identify and document areas of support in the post-election phase to inform its post-election support in the host countries. EISA also uses its observer missions as a lesson learnt platform for EMBs and CSOs on the continent because its missions are composed of CSO and EMB representatives from countries that are soon to hold elections.

EISA is a not for profit organisation established in 1996 based in Johannesburg (South Africa) with field offices in Democratic Republic of Congo, Gabon, Madagascar, Mali, Mozambique, Somalia, and Zimbabwe.

Our vision

An African continent where democratic governance, human rights and citizen participation are upheld in a peaceful environment.

Mission Statement

EISA strives for excellence in the promotion of credible elections, citizen participation, and strong political institutions for sustainable democracy in Africa.

The report is produced with the financial assistance of the United Kingdom Government; however, the views expressed in this document do not reflect the official policies of the United Kingdom Government.