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## **MESN Detailed Preliminary Statement on the 2019 Tripartite Election**

*Issued: At 11:00am on 22 May 2019*

The Malawi Electoral Support Network (MESN) is a registered network of 27 non-governmental and faith-based organisations in Malawi. MESN was formed with the core objective of facilitating coordination among civil society organizations engaged in election monitoring, civic and voter education in Malawi and a platform for dialogue, advocacy and lobbying on electoral matters. Since its establishment in 2003, MESN has successfully observed the 2004 and 2009 parliamentary and presidential elections as well as the 2014 Tripartite Elections.

For the 2019 Tripartite Elections, MESN deployed nearly 1,400 volunteers across the country to observe on Election Day. Prior to Election Day, MESN deployed 57 Long-Term Observers (LTOs) to all 28 districts who provided structured observation of the pre-election period as part of its Parallel Vote Tabulation (PVT) initiative. MESN also deployed 386 observers to all 193 constituencies during biometric voter registration and, subsequently, to observe instances of violence against women in elections (VAWE) under the Gender Elections Engagement Room (GEER).

For Election Day, MESN observations sought to make the 2019 Tripartite Elections **more inclusive** by giving voters confidence to participate; **more transparent** by providing systematic information on the conduct of the process; and **more accountable** by independently verifying the accuracy of the official results for the presidential election as announced by the Malawi Electoral Commission (MEC).

For the PVT, 907 observers assigned to statistical samples of 800 polling streams and 809 polling stations. PVT Observers arrived at 5:00am and observed the entire process until the official results were announced and posted for the entire polling station. Throughout the day they sent in observation reports in near real-time via coded text messages using their mobile phones. This enables MESN to provide the nation with the most accurate and timely information on the conduct of voting and counting. Further, MESN's PVT is able to independently verify if the official results for the presidential election are accurate and truly reflect the ballots cast at polling streams and polling stations.

Based on its PVT data, MESN can provide a detailed picture of Election Day for the entire country.

**1) There was a clear improvement in logistics from 2014.** MESN PVT Observers reported that 99% of polling stations received their materials (ballot boxes, voting booths, voters' registers and presidential ballot papers) by 7:00pm on Monday 20 May. However, MESN notes that new procedures for accreditation of observers undermined credible election observation, were inconsistent with international norms and best practices, and were administratively burdensome. However, these did not ultimately result in large numbers of duly accredited observers not being given access to the process.

2) As a result of improved logistics, **polling streams largely opened on time**. In addition to generally having all materials, at opening there was an average of six polling officials per polling stream and the security personnel were present at 97% of polling streams. Further, there were party representatives for Chakwera (MCP) at 95% of polling streams; for Chilima (UTM) at 96% of polling streams; for Muluzi (UDF) at 63% of polling streams; and Mutharika (DPP) at 99% of polling streams.

3) PVT observers reported that **voting was largely conducted in accordance with MEC procedures**. For example at 96% of polling streams every potential voter was asked to present his/her voter registration slip; at 96% of polling streams very potential voter’s details were checked against the voters’ register; at 97% of polling streams no one was allowed to vote who already had indelible ink applied to his/her finger; and at 96% of polling streams indelible ink was applied to a finger of very person who voted. However, MESN notes that at 18% of polling streams party representatives could see how voters’ ballot papers were marked prior to being put in the ballot box potentially undermining the secrecy of the vote.

**4) Insufficient logistical preparations and lack of clarity in procedures and training, resulted in significant delays in the start of counting and the time required for counting, but the issues did not appear to undermine the credibility of the process and the counting process was conducted in an inclusive manner.** For 46% of polling streams, the ballot boxes were moved to a central location for counting rather than being counted at the location where voting took place. At 37% of polling streams presidential ballot papers were found in either the parliamentary or local councillor ballot boxes. Of concern, at 24% of polling streams PVT Observers reported there were presidential ballot papers that were rejected (declared “null and void”) even though they were clearly marked and the voter’s intention was clear. However, MESN observers did not report the number of affected presidential ballot papers These issues occurred in all three regions.

**Table 1: MESN PVT Select Counting Process Data by Region**

Region	% of Polling Streams where Ballot Boxes Moved Before Counting	% of Polling Streams where Presidential Ballot Papers Found in Other Ballot Boxes	% of Polling Streams where Presidential Ballot Papers were Rejected Despite Voter’s Intention Being Clear
National	46%	37%	24%
Northern	37%	30%	28%
Central	48%	32%	15%
Southern	56%	45%	24%

Based on 793 of 800 PVT polling streams reporting

Source: MESN

5) Once counting was completed for polling streams, **the announcement of presidential results was transparent and inclusive**. Party representatives for Chakwera (MCP) signed the official polling station results form (MEC.POLL.066c) at 96% of polling stations; for Chilima (UTM) at 96% of polling stations; for Muluzi (UDF) at 64% polling station; and 99% for Mutharika (DPP). At 96% of polling stations with a Chakwera (MCP) representative his party representatives was given a copy of the official presidential results form, at 96% of polling stations with a Chilima (UTM) representatives his party representatives was given a copy of the official presidential results; at 92% of polling stations with a Muluzi (UDF) representative his party representatives was given a copy of the official presidential results; and at 96% of polling stations with a Mutharika (DPP) representative his party representatives was given a

copy of the official presidential results. At 93% of polling stations the presidential results were posted for the public to see. In one case, however, a MESN PVT Observer was not permitted to observe the announcement of results after MEC officials chased away all observers.

**Table 2: MESN PVT Select Announcement of Results Process Data by Party**

Region	% of Polling Stations where Party Representative Signed Presidential Results Form	% of Polling Stations with Party Representative where a Party Representative was given Copy of Presidential Results Form
Chakwera (MCP)	96%	96%
Chilima (UTM)	96%	96%
Muluzi (UDF)	64%	92%
Mutharika (DPP)	99%	96%

Based on 790 of 809 PVT polling stations reporting

Source: MESN

**6) All of MESN’s observation efforts place a particular emphasis on the participation of women as well as persons with disabilities.** While MESN is disappointed in the number of female candidates for all elections, MESN observers reported that 46% of polling officials were women and 23% of presiding officer were women. At 97% of polling streams persons with disabilities, the elderly, pregnant women and nursing mothers were permitted to go to the front of the queue and vote right away.

The PVT data provided in this statement is preliminary. MESN continues to observe the process and collect, verify and analyse reports from its PVT Observers.

Following MEC’s official announcement, MESN will issue its **Verification Statement** on the accuracy of the official results for the 2019 presidential election. As appropriate MESN will issue interim verification statements in response to the release of official partial presidential results by the MEC.

MESN will issue a comprehensive final report on the entire 2019 Tripartite Election once all elements of the electoral process have concluded.

MESN notes that the collation of results is still underway. This presidential election is expected to be the most competitive election in Malawi’s history. The MEC should be allowed to complete the process of collating and announcing results. Observers as well as political parties should continue to closely watch this process to ensure that it is inclusive, transparent and accountable. MESN will remain vigilant throughout the collation and announcement of presidential results. MESN’s PVT will provide independent verification of the presidential results as announced by the MEC. The PVT is a powerful tool to deter manipulation of the presidential results and to expose when manipulation has occurred. MESN has successfully conducted PVTs in the past (for presidential elections in 2009 and 2014) and all of our systems are functioning. Further, the PVT methodology has been used around the world and across Africa to ensure the official results as announced by election officials reflect the ballots cast at polling streams and stations. That is what the PVT will do for the 2019 presidential election.

Malawi is a peaceful country and MESN calls on all candidates/political parties and their supporters as well as the public in general to remain calm. If any candidate or political party has any concerns they should raise these with the MEC or through the proper channels provided by our legal system.

Finally, MESN would like to thank the millions of Malawians who went out, voted and exercised their fundamental right to vote; the tens of thousands of MEC polling officials who worked long hours to ensure that Malawians were able to exercise their right to vote and more than one thousand MESN volunteers located in every region, district and constituency of the country who worked tirelessly on behalf of all Malawians, regardless of their political preference, to ensure the elections were inclusive, transparent and accountable.

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*MESN PVT Samples:* MESN is deploying a total of 907 PVT Observers. Some Election Day procedures take place at the level of the polling streams while others at polling stations. Thus, MESN is employing two complementary overlapping PVT samples – a sample of 800 polling streams and 809 polling stations. The data for both samples is collectively reported by the 907 PVT Observers. Both samples are representative of the entire country and include sampled points from every region, district, and constituency.

**Malawi Electoral Support Network (MESN)**  
**Detailed Data on the Conduct of the 2019 Tripartite Elections**

Distribution of Materials to Polling Stations  
(784 of 809 sampled polling stations reporting)

PVT report from sampled polling stations show:

- 99% had received ballot boxes;
- 99% had received voting booths;
- 99% had received voters' registers;
- 99% had received presidential ballot papers;
- 98% had received the correct parliamentary ballot papers;
- 97% had received the correct local councillor ballot papers;
- 90% had received both polling stream and polling station presidential results forms; and
- 91% had received the form for publicly posting the presidential results for the polling stations.

Opening of Polling Streams  
(785 of 800 sampled polling streams reporting)

PVT report from sampled polling stations show:

- 38% were open at 6am and 97% by 7am;
- On average had six polling officials present;
- 97% had a security officer present;
- 95% a party representative for Chakwera/MCP was present;
- 96% a party representative for Chlima/UTM was present;
- 63% a party representative for Muluzi/UDF was present;
- 99% a party representative for Mutharika/DPP was present;
- 100% had a voters' register;
- 100% had presidential ballot papers;
- 99% had the correct parliamentary ballot papers<sup>1</sup>;
- 100% had the correct local councillor ballot papers; and
- 100% the presidential ballot box was shown to be empty before being closed and sealed.

Voting at Polling Streams  
(797 of 800 sampled polling streams reporting)

PVT report from sampled polling streams show:

- at 96% all potential voters were asked to provide a voter registration slip;
- at 96% the details for all potential voters were checked against the voters' register;
- at 91% no one was NOT allowed to vote whose details were found on the voters register;

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<sup>1</sup> The UTM candidate for Lilongwe South constituency (Agness Nandau Penumulungu) died and a by-election will have to be held. Therefore, no parliamentary ballot papers were issued to polling stations and polling streams in the constituency.

- at 90% no one was allowed vote whose details were NOT found on the voters register;
- at 97% no one was allowed to vote who already had indelible ink on his/her fingers;
- at 96% indelible ink was applied to everyone who was permitted to vote;
- at 91% the back of every presidential ballot paper was signed by a polling official before being issued;
- at 18% party representatives could see how voters marked their presidential ballot papers;
- at 5% someone attempted to influence/intimidate any voters; and
- at 6% someone attempted to influence/intimidate a polling official.

Counting at or by Polling Streams  
(783 of 800 polling streams reporting)

PVT report from sampled polling streams show:

- at 46% of polling streams the presidential ballot boxes were moved to a central location before being counted, but counting was done individually for each polling stream;
- at 96% there was a party representative present for Chakwera/MCP during counting of presidential ballot papers;
- at 96% there was a party representative present for Chilima/UTM during counting of presidential ballot papers;
- at 64% there was a party representative present for Muluz/UDF during counting of presidential ballot papers;
- at 99% there was a party representative present for Mutharika/DPP during counting of presidential ballot papers;
- at 37% presidential ballot papers were found in either the parliamentary or local councillor ballot box;
- at 97% polling officials showed how each ballot paper was marked so that all party representatives and observers present could see how they were marked;
- at 91% presidential ballot papers were sorted into different piles by candidate (with a separate pile for “null and void”/rejected ballot papers);
- at 24% there were presidential ballot papers declared “null and void”/rejected even though they were clearly marked for a particular candidate (the voter’s intention was clear);
- at 5% someone attempted to disrupt the counting of the presidential ballot papers;
- at 4% someone attempted to influence/intimidate the polling officials during counting of the presidential ballot papers;

Announcement of Results for Polling Stations  
(790 of 809 sampled polling stations reporting)

In regards to the signing of the official presidential results form (MEC.POLL.66c), PVT reports show that at:

- 96% of polling stations a party representative for Chakwera/MCP signed;
- 96% of polling stations a party representative for Chilima/UTM signed ;
- 64% of polling stations a party representative for Muluzi/UDF signed; and
- 99% of polling stations a party representative for Mutharika/DPP signed.

In regards to providing party representatives with a copy of the official presidential results form (MEC.POLL.66c), PVT reports show that at:

- 96% of polling stations a party representative for Chakwera/MCP was given a copy;
- 96% of polling stations a party representative for Chilima/UTM was given a copy ;
- 92% of polling stations a party representative for Muluzi/UDF was given a copy; and
- 96% of polling stations a party representative for Mutharika/DPP was given a copy.

At 93% of polling stations the official presidential results were posted for the public to see.

### Participation of Women and Persons with Disabilities

MESN's observation effort place a particular emphasis on the participation of women as well as persons with disabilities in the electoral process. The pattern across the country based on PVT reporting sampled polling stations and streams showed:

- 23% of presiding officers were women;
- 46% of polling officials were women;
- 38% of security officers were women;
- 50% of party representative for Chakwera/MCP were women;
- 46% of party representative for Chilima/UTM were women;
- 44% of party representative for Muluzi/UDF were women;
- 52% of party representative for Mutharika/DPP were women;
- 16% voters had to go up a set of stairs to reach their polling stream making voting less accessible;
- 63% had ballot templates to facilitate voting by blind voters;
- at 97% persons with disabilities, the elderly, pregnant women and nursing mothers were allowed to go to the front of the queue and vote; and
- at 29% there were able bodied women who were assisted to vote by a man (despite not physically requiring assistance).