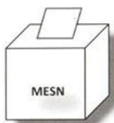


**Long Term Observation Report
February 2014**

MALAWI ELECTORAL SUPPORT NETWORK (MESN)



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1.0 BACKGROUND

Malawi will be holding fifth multi-party general elections in May 2014 and these elections will be different from the past four elections parliamentary and presidential elections because they will be tripartite i.e. parliamentary, presidential and local government elections. Based on the complexity of the upcoming elections it is anticipated that the electoral staff will be overwhelmed by the amount of work that they will have to do especially during registration, polling and vote counting. Such being the case it is anticipated that the conduct of the entire electoral process will be a challenging undertaking by Malawi Electoral Commission (MEC), political parties, civil society organizations, candidates, and voters. MESN will be observing the entire electoral process before, during and after the election. Long term observation will act as a quality control check and improve public confidence and integrity of the electoral processes.

2.0 LONG TERM OBSERVATION (LTO)

Long Term Observation (LTO) is one of the several observation efforts being used by MESN to collect information on the conduct of the May 20 Tripartite Elections. Malawi Electoral Support Network is implementing a Long Term Observation program for the tripartite elections with support from the United States Agency for International Development (USAID) through the National Democratic Institute (NDI). The observers have been trained across the country and deployed to various constituencies. This is the first time the country has had local observers under such a program. Long – term observation refers to the systematic observation over a period of time prior to, and after an election to assess different aspects of the electoral process to provide an independent evaluation of its fairness. This process enables election observer groups to make an objective assessment of the environment under which the elections are held.

Under this initiative MESN will observe the nomination process, inspection of the voters register and the election campaign will be collected from a constituencies located across Malawi. MESN has deployed 84 LTOs in all districts in Malawi.

3.0 MAIN OBJECTIVE OF LTO

Build capacity of credible non-partisan domestic observers and to effectively monitor the entire electoral process for 2014 tripartite elections.

SPECIFIC OBJECTIVE OF THE LTO EXERCISE

1. To assess whether the conditions for a free and fair election exist ahead of 2014 Elections
2. To document all election related events prior to, during and after the 2014 elections in order to objectively inform the citizens of Malawi and other interested stakeholders
3. To use information provided by the MESN long term observers for election stakeholders to take relevant intervention measures

4. To use the observations made by the long-term observer to advocate for electoral reforms
5. To publicize all election related developments in order to minimize electoral malpractices
6. To enhance confidence in the electoral process through the highlighting and commending of the best practices in the run up to the election
7. To encourage citizen participation in the political process

4.0 DEPLOYMENT METHODOLOGY

In the deployment of observers and selection of locations MESN used a sampling technique based on selecting political hot spots during the 2014 tripartite elections in Malawi. These “hot spots” are areas that MESN has identified where there are high competitive races, areas that have had a past of violence and fraud. In some of these areas the potential for high tension is extremely high because of the election fever among the candidates in the constituency which often results from controversial changes of political allegiance by some key figures in some political parties. Thus such dynamics often provide a fertile ground for incidents that either directly or indirectly affect the conduct of elections and determination of the eventual winners and losers.

5.0 OVERALL ASSESSMENT

Overall MESN’s assessment based on the LTO reports is that the electoral processes in February has largely been held in conformity with legal framework in the country and the international standards of conducting elections. There are areas where electoral malpractices and misconduct such as intimidation, harassment, voter card buying and abuse of public resources where the electoral process could be improved. These observations are very unfortunate; nevertheless it serves as a wakeup call to all electoral stakeholders to strengthen its control and oversight mechanisms, to ensure that these practices do not spiral up and graduate into wide spread and uncontrollable incidents that affect the integrity and quality of the elections.

Human rights issues and general political environment

On a larger scale during the month of February, observers confirmed the protection and promotion of Human Rights. Most stakeholders such as Civil Society Organizations (CSOs), voters, candidates and their supporters were provided a peaceful and open environment to carry out their activities The political environment was also very conducive for many stakeholders to express themselves and carry out their activities.

In February observers confirmed that there was a spate of use of violence among party loyalists in specific districts.

Political party Primaries

On a positive note, MESN observers reported that political parties as well as other independent candidates are geared to ensuring that the forthcoming tripartite elections are of high standards. Many key political parties ensured that their parties embraced internal -party democracy through primaries. It is important to note that even women and youth were given the opportunity to exercise their right to participate in the party primary elections.

This positive development by political parties in Malawi was tainted by attempts to impose candidates directly or indirectly. Based on diverse interviews held by observers a number of candidates were imposed by the parties' leadership structures. There were instances where incumbents lost the internal elections based on a number of reorganized primaries where there were unclear internal rules and processes for adjudication. In other cases, losing aspirants obtained court injunctions in trying to enhance the primary process. Other candidates opted to contest as independent candidates as a result of inconformity with the primary processes.

Several women contested for local government and parliamentary seats and participated in primary elections. It was disheartening to observe that some female candidates encountered opposition and resistance from party leadership, several reported being internally intimidated and harassed during their campaigns. A number of female candidates lost internal elections which could lead to a dismal performance for achieving 50:50 representations in parliament and local government. It is also noted that the low candidate representation of women is also a consequence on lack of financial resources.

At the inter-party level, the observers noted instances of political intolerance, harassment and intimidation though on a small scale among different political parties. Democratic Progressive Party (DPP), Peoples Party (PP) and United Democratic Party (UDF) supporters have been identified as perpetrators of this violence. There have been reports by LTOs of vote buying and favoritism in government maize distribution campaign to households of those in need. The PP has been observed in a number of constituencies across the country distributing government maize to its supporters leaving out people of other political affiliations. There are few reports of creation of "No-Go Zones".

6.0 OBSERVING THE NOMINATION PROCESS

6.1.1 Observing the Presidential candidates nomination

During the presidential nomination, MESN observed twelve candidates express interest to contest for this presidential vote. It was observed that all the candidates were accorded equal opportunities during the presentation by the MEC. This includes the time, the platform to make speeches as well as candidate or party supporters to express their loyalty to their favorite candidates.

6.1.2 Observing the Parliamentary and Local government candidates nomination

Overall in February, candidates' and supporters' political rights and freedoms were respected and there was enough security presence at all nomination centers at the district councils.

However, a number of candidates experienced challenges when filling the nomination papers. They were sent back to make the necessary corrections. For instance, some candidates were not able to comprehend the language or terms on the forms and therefore could not provide correct responses. Other candidates who were not successful brought their nomination papers without the required bank deposit slip. In addition other nomination papers were rejected because the aspirants delegated their supporters or relations to present the papers on their behalf. Finally very few candidates were rejected for showing up late.

2014 TRIPARTITE ELECTIONS

Candidate analysis based on MEC nomination list (Ordered by last name)

| Presidential Candidate | PARTY | MALE | % of 193 | FEMALE | % of 193 | TOTAL |
|---|--------------|-------------|----------|------------|----------|-------------|
| Joyce Banda | PP | 151 | 78.24 % | 41 | 21.24 % | 192 |
| Lazarus Chakwera | MCP | 124 | 64.25 % | 31 | 16.06 % | 155 |
| Kamuzu Chibambo | PETRA | 4 | 2.07% | 1 | 0.5 | 5 |
| John Chisi | UMODZI | 1 | 0.5 | - | - | 1 |
| Davis Katsonga | CCP | 5 | 2.6 % | - | - | 5 |
| Mark Katsonga | PPM | 46 | 23.83 % | 3 | 1.6% | 49 |
| George Mnesa (under Tisinthe coalition) | MAFUNDE | 3 | 1.6 | 1 | 0.5 | 4 |
| Atupele. A. Muluzi | UDF | 151 | 78.24 % | 32 | 16.6 % | 183 |
| Peter Mutharika | DPP | 144 | 74.6 % | 44 | 22.79 % | 188 |
| James Nyondo | NASAF | 20 | 10.7% | 3 | 1.6 % | 23 |
| Hellen Singh | UIP | 12 | 6.22 | 5 | 2.6 | 17 |
| (no presidential candidate) | PDM | 1 | 0.5 | - | - | 1 |
| (no presidential candidate) | UP | 2 | 1.03 | 1 | 0.5 | 3 |
| (no presidential candidate) | AFORD | 10 | 5.18 | 2 | 1.03 | 12 |
| (no presidential candidate) | NCP | 3 | 1.6 | 2 | 1.03 | 5 |
| (no presidential candidate) | NLP | 1 | 0.5 | 1 | 0.5 | 2 |
| (no presidential candidate) | MPP | 1 | 0.5 | - | - | 1 |
| (no presidential candidate) | INDEPENDENT | 335 | 173.58 | 86 | 44.56 | 421 |
| | TOTAL | 1020 | | 254 | | 1274 |

7.0 CIVIL SOCIETY ORGANISATIONS

MESN observers reported that several accredited CSOs to conduct civic and voter education (CVE) are present in most of the 84 constituencies under this project. These organizations are: National Initiative for Civic Education Trust (NICE), Pan African Civic Educators Network (PACENET), Youth Network Counselling (YONECO), Catholic Commission for Justice and Peace (CCJP), Public Affairs Committee (PAC) and Church and Society of Blantyre CCAP Synod.

It was observed that not all the accredited CSOs have embarked on CVE activities. This delay or absence was attributed to lack of financial resources. Those that have embarked on CVE are doing it professionally and as per the MEC code of conduct. The CVE is being conducted in a non-partisan manner. These CSOs use public meetings, drama and music. LTOs also noted that CSOs included underrepresented groups such as women and the persons with disabilities during their activities.

RECOMMENDATIONS

1. There is great need for intensive civic and voter education to the larger proportion of the Malawian electorate regarding voting process. In addition, there is need for more funds to accredited CSOs so that they intensify voter and civic education.
2. All political parties and candidates MUST observe the electoral laws and code of conduct provided by the Malawi Electoral Commission (MEC).
3. Eligibility requirements for all candidates to participate in elections should be reviewed to make them more user friendly so that candidates can complete forms on their own.