



**MALAWI ELECTORAL COMMISSION**

# **REPORT ON TRIPARTITE ELECTIONS MAY 2014**

Malawi Electoral Commission  
Chisankho House  
Private Bag 113  
Blantyre

## LETTER OF SUBMISSION

Malawi Electoral Commission,  
Chisankho House,  
Private Bag 113,  
Blantyre,  
MALAWI.

31st December, 2014.

His Excellency Professor Arthur Peter Mutharika,  
President of the Republic of Malawi,  
Kamuzu Palace,  
Lilongwe.

Your Excellency,

The Malawi Electoral Commission is appointed under Section 4 of the Electoral Commission Act. It is mandated under Section 76 of the Constitution of the Republic of Malawi and the Electoral Commission Act No. 11 of 1998 to exercise such functions in relation to elections. The duties of the Commission include:

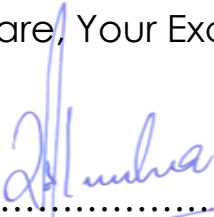
- a) To determine the number of constituencies for purposes of elections;
- b) To undertake or supervise the demarcation of boundaries of constituencies;
- c) To organize and direct the registration of voters;

- d) To devise and establish voters registers and ballot papers;
- e) To print, distribute and take charge of ballot papers and voters registers;
- f) To approve and procure ballot boxes;
- g) To establish and operate polling stations; and
- h) To establish security conditions necessary for the conduct of every election in accordance with any written law governing elections.

Your Excellency, Local Government, Parliamentary and Presidential elections to elect Councillors, Members of the National Assembly and a State President were conducted on 20th May 2014 in accordance with the Constitution of Malawi, Electoral Commission Act No 11 of 1998, Parliamentary and Presidential Act No 13 of 1993 and the Local Government Elections Act as amended.

We, the Commissioners, therefore, humbly submit to Your Excellency, the Report on the Tripartite Elections prepared by the Commission in compliance with Article 6 of the Electoral Commission Act.

We are, Your Excellency,



.....

**Justice Maxon Mbendera, SC.**  
**CHAIRMAN**



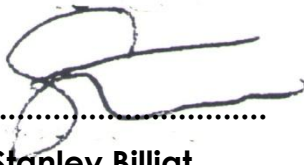
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**Willie Kalonga**  
**Chief Elections Officer**



**Rev. Maxwell Mezuwa Banda**

**Commissioner**



**Stanley Billiat**  
**Commissioner**

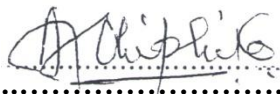


**Gloria Angella Chingota**  
**Commissioner**

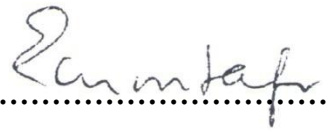


**Rev. Emmanuel Chinkwita-Phiri**

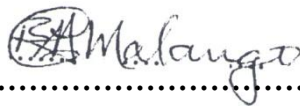
**Commissioner**



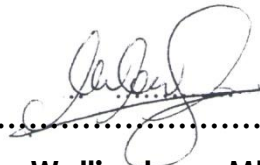
**Rev. Allan Moyomsana Chiphiko**  
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**Archbishop Emeritus Dr. Bernard Amos Malango**  
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**Dr. Wellington Mkwepu Nakanga**  
**Commissioner**



**Nancy Gladys Tembo**  
**Commissioner**

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## **ACRONYMS**

|          |                                                                             |
|----------|-----------------------------------------------------------------------------|
| AFORD    | Alliance for Democracy                                                      |
| BRIDGE   | Building Resources in Democracy, Governance and Elections                   |
| CCJP     | Catholic Commission for Justice and Peace                                   |
| CCVEA    | Constituency Civic and Voter Education Assistant                            |
| CHRR     | Centre for Human Rights and Rehabilitation                                  |
| CHU      | Complaints Handling Unit                                                    |
| CMD      | Centre for Multiparty Democracy                                             |
| COP      | Camera Operator                                                             |
| CRO      | Constituency Returning Officer                                              |
| CSOs     | Civil Society Organizations                                                 |
| CVE      | Civic and Voter Education                                                   |
| CONU     | Congress for National Unity                                                 |
| DC       | District Commissioner                                                       |
| DC&VECC  | District Civic & Voter Education Coordinating Committee                     |
| DEC      | District Elections Coordinator                                              |
| DEST     | District Elections Supervisory Team                                         |
| DPs      | Development Partners                                                        |
| DPP      | Democratic Progressive Party                                                |
| ECA      | Electoral Commission Act no. 11 of 1998 as amended                          |
| ECF SADC | Electoral Commissions Forum of the Southern Africa<br>Development Community |
| EU       | European Union                                                              |
| FBOs     | Faith Based Organizations                                                   |
| FPTP     | First-Past-The Post                                                         |
| GoM      | Government of Malawi                                                        |
| HRCC     | Human Rights Consultative Committee                                         |
| HIV/AIDS | Human Immunodeficiency Virus/ Acquired Immune<br>Deficiency Syndrome        |

|         |                                                                        |
|---------|------------------------------------------------------------------------|
| ICT     | Information and Communication Technology                               |
| IDs     | Identities                                                             |
| IFES    | International Foundation for Electoral Systems                         |
| IPC     | Internal Procurement Committee                                         |
| IPI     | Institute for Policy Interaction                                       |
| LGEA    | Local Government Elections Act no. 24 of 1996 as amended               |
| MACRA   | Malawi Communications Regulatory Authority                             |
| MAFUNDE | Malawi Forum for Unity and Development                                 |
| MAM     | Muslim Association of Malawi                                           |
| MBC     | Malawi Broadcasting Corporation                                        |
| MCC     | Malawi Council of Churches                                             |
| MCP     | Malawi Congress Party                                                  |
| MDF     | Malawi Defense Forces                                                  |
| MDP     | Malawi Democratic Party                                                |
| MEC     | Malawi Electoral Commission                                            |
| MESN    | Malawi Electoral Support Network                                       |
| MHRC    | Malawi Human Rights Commission                                         |
| MK      | Malawi Kwacha                                                          |
| MPLCs   | Multiparty Liaison Committees                                          |
| MPP     | Malawi People's Party                                                  |
| MTL     | Malawi Telecommunications Limited                                      |
| NARC    | New Rainbow Coalition                                                  |
| NGO     | Non Governmental Organization                                          |
| NICE    | National Initiative for Civic Education                                |
| OMR     | Optical Mark Recognition                                               |
| PEAs    | Primary Education Advisors                                             |
| PETRA   | People's Transformation Party                                          |
| PPEA    | Parliamentary and Presidential Elections Act no. 31 of 1993 as amended |

|        |                                                    |
|--------|----------------------------------------------------|
| PPM    | People's Progressive Movement                      |
| QCM    | Quality Control Manager                            |
| RP     | Republican Party                                   |
| SADC   | Southern African Development Community             |
| Sc     | Senior Counsel                                     |
| TA     | Traditional Authority                              |
| UDF    | United Democratic Front                            |
| UK     | United Kingdom                                     |
| UNDP   | United Nations Development Program                 |
| USAID  | United States Agency for International Development |
| USD    | United States Dollar                               |
| VI     | Voter Information                                  |
| YONECO | Youthnet and Counseling Organization               |
| ZEC    | Zimbabwe Electoral Commission                      |
| ZBS    | Zodiak Broadcasting Station                        |

## **ACKNOWLEDGEMENTS**

The Malawi Electoral Commission would like to express its sincere gratitude to all the stakeholders, both individuals and organizations, for their generous contributions (financial, material, human and moral), as well as their advice, guidance and invaluable information rendered throughout the electoral process. While acknowledging their invaluable contributions, it is not possible to name all those who contributed to the process of preparation, implementation and completion of this national undertaking. However, the Commission would particularly wish to acknowledge the enormous support given by the following institutions:

- a) The Government of the Republic of Malawi,
- b) Political Parties and candidates
- c) Voters and the citizenry in general,
- d) All Development Partners who contributed to the elections basket fund
- e) Members of both Steering and Technical committees
- f) All Government Ministries and Para-statal organizations that released their staff and/or vehicles during this national undertaking,
- g) Members of the Transport Task Force,
- h) Institutions that offered their venues to be used as registration or polling and vote tallying points,
- i) District Commissioners/Chief Executive Officers of Local Assemblies for their assistance in the overall management of the electoral process,
- j) Constituency Returning Officers, Quality Control Managers, Camera Operators, all teachers and others who performed various roles during the electoral processes,
- k) Security personnel,
- l) Institutions that contributed to the setting up of the National Results Centre
- m) The Media and MEC stringers,

L) District Civic and Voter Education  
Coordinating Committees and  
CCVEAs,

n) Multiparty Liaison Committees  
and Traditional Leaders,

o) Civil Society Organizations,

p) Faith Based Organizations,

q) Centre for Multiparty Democracy,  
and

r) Local and International  
Observers,

## **FOREWORD**

The Malawi Electoral Commission (MEC) in May 2014 conducted the first Tripartite Elections whereby Local Government, Parliamentary and Presidential Elections were held simultaneously. These were the fifth general elections and the second for local government elections since the re-introduction of multiparty democracy through a referendum in 1993.

This is a report on the activities implemented in the 2014 tripartite elections. The report also highlights preparatory activities for the elections as well as constraints and challenges experienced before, during, and after the tripartite elections. The last part of the report offers recommendations on the conduct of future elections.

The Commission is mandated to conduct Local Government, Parliamentary, Presidential elections and referenda in Malawi. This mandate requires the Commission to ensure integrity and legitimacy of

the electoral process. Consequently, it recognizes that election administration cannot be exclusively owned by a single institution. In particular, the interpretation of electoral laws and regulations, as well as how political power is contested for, is of great interest to many key players and stakeholders in the electoral process. Inevitably, therefore, elections pose great challenges to the Commission and to all other stakeholders.

Further, social-economic and cultural factors impact on the management of elections by posing various challenges. The factors include language, economic hardships, illiteracy, poverty, urban/rural populations, traditions and gender, among others. The Commission had to deal with these factors in order to make the elections credible and accessible. For example, the illiterate population require more human contact and visual information throughout the electoral process for them to

participate meaningfully and effectively.

The Commission maintained good relationships with a wide range of specific interest groups who have a stake in the electoral process. In this respect, the Commission conducted regular consultations with various stakeholders at national level through National Elections Consultative Forum (NECOF) as well as at district level through its Multiparty Liaison Committees (MPLCs). The Commission also held meetings with leaders of political parties then represented in Parliament individually and a group meeting for those political parties then not represented in Parliament. On several occasions, the Commission interacted with Centre for Multi-Party Democracy (CMD) where various issues were clarified. Roundtable meetings also acted as mechanisms for the Commission to report on its progress in the electoral administration.

The consultations provided an opportunity for specific needs to be

channelled directly to the Commission and eventually incorporated into the Commission's policies and programmes. Thus the Commission built positive relationships with its stakeholders.

Development Partners complemented government efforts to democracy building through provision of funding and technical expertise. The government, apart from provision of necessary resources, also created the enabling environment for implementation of the electoral activities.

A Steering Committee co-chaired by the Minister of Finance and UNDP Resident Representative and a Technical Committee co-chaired by a MEC Commissioner and UNDP Deputy Resident Representative was established to coordinate the activities of the electoral processes and provided the required interface between the MEC and the Development Partners.

The UNDP also provided financial, technical and material (equipment)

assistance through the Malawi Electoral Support Project signed on 13 June 2013 by the Commission, Government of Malawi and the UNDP.

The Commission also benefited from electoral observation. Local and International Observers drew conclusions on the state of democracy, and made recommendations for future electoral processes.

Elections are a primary tool for increasing awareness and participation in political processes. The high turnout during the May 20 tripartite elections, (above 70.7% of the registered voters), confirmed that the people of Malawi appreciate participation in elections as a way of sustaining democracy.

They chose their representatives freely without fear or coercion.



**Justice Maxon Mbendera, SC.**

**CHAIRPERSON**

## **CHAPTER 1 INTRODUCTION**

### **1.1 Introduction**

The 2014 elections were unique in a number of ways. The elections were the first tripartite elections in Malawi whereby people voted for Councilors,

Parliamentary representatives and

President simultaneously and they took place on the 50<sup>th</sup> Anniversary of Malawi's independence. These were the fifth general elections and the second for local government since the re-introduction of multiparty democracy through a referendum in 1993. The first four general elections were held in 1994, 1999, 2004, and 2009, while the first local government elections took place in 2000.

The 2014 elections were also significant as they paved the way for the restoration of elected local governance structures after over a decade.



Commissioners captured during launch of 2014 Tripartite Elections, MEC Strategic Plan and Civic and Voter Education Strategy

This chapter covers the prevailing election context with respect to administrative structures for the elections, the role of Constituency Returning Officers, political parties and a brief on voter population projections

### **1.2 Administrative Structures**

Malawi has 28 administrative districts distributed in three regions: 6 in the North, 9 in the Centre and 13 in the South. Further, the administrative divisions are subdivided into 35 councils. The District Council is headed by a District Commissioner



MEC CEO, Willie Kalonga inspecting registration process at Zomba district council offices

while a city/town/municipal council is headed by Chief Executive Officer.

Each of the districts has an administrative centre, popularly referred to as the "Boma" and is normally a cluster of a police station, a district hospital, a produce market, and key government functional units as well as District Commissioners' offices.

During the elections, District Commissioners and/or Chief Executive Officers were designated as District Elections Coordinators for their respective councils. The District Elections Coordinator was supported by at least a District Elections Clerk.

For purposes of supervision of implementation of electoral activities, each council had a District Elections Supervisory Team (DEST) chaired by the District Elections Coordinator. In addition

to this, each council had a Multiparty Liaison Committee (MPLC), a structure to manage election-related conflicts.

Within each district there are Traditional Authority (TA) areas under whom, the smallest administrative area is a village. The village is an important unit for Civic and Voter Education (CVE), and it was given prime attention in the Commission's CVE activities.

There are, currently, 193 Parliamentary constituencies and 462 wards in Malawi.

A constituency may be defined as a voting district, that is, an area that has been demarcated by the

Electoral Commission under Section 8(1) (a) and (b) of the Electoral Commission Act for purposes of determining the number of representatives in the National Assembly in accordance with the electoral laws. These determinations are subsequently presented to National Assembly for approval

Wards are voting districts demarcated for the purposes of choosing a representative to the local council.

Registration centres are established for each ward and constituency where voters register and these centres are also used as polling stations. There were a total of 4,445 registration

centres/polling stations during the 2014 tripartite elections.

### **1.3 The Constituency Returning Officer (CRO)**

In the 2014 tripartite elections and within

the framework of Section 34 (1) and Section 95 (1) of the Parliamentary and Presidential Elections (PPE) Act, the Commission appointed 200 Constituency Returning Officers (CROs) through competitive interviews. The number of CROs was more than the 193 constituencies. The seven additional CROs were appointed to serve constituencies that were overlapping councils. The use of CROs was partly in response to complaints by some political parties during past elections against suspected bias in favour of some parties by a few District Commissioners. The change was also made as an attempt to improve the management of elections results.



Commissioner Chingota (centre) with MEC staff and CROs from Lilongwe during orientation for nomination

The expectation was that the involvement of CROs would reduce the time taken to process the constituency results, as opposed to the time it used to take when this task was single-handedly carried out by 28 District Commissioners.

#### **1.4 Political Parties**



A representative of a political party making a contribution during NECOF meeting

As of June 2013 at the time of launching the 2014 tripartite elections, there were 54 political parties registered under the Political Parties (Registration and Regulation) Act, 1993. There were 18 registered political parties that participated in the 2014 tripartite elections. (Refer Appendix 2). Independent candidates also participated in

Parliamentary and Local Government Elections only.

#### **1.5 Voter Population**

According to 2008 Population and Housing Census, the population of Malawi was given as 13,077,160, while the voting age population was estimated at 46 percent of the population. For the purposes of the 2014 elections the Commission made projections based on past national population and voter registration trends.

The Commission projected to register 8,009,734 voters for

the 2014 tripartite elections. At the completion of the registration exercise in December 2013 the Commission released a preliminary field count of 7,537,548 registered voters. The total registered population figure was reduced to 7,470,806 giving a downward variation of 66,742 voters upon completion of the electronic voters' roll update after field inspection of the voter roll exercise in May 2014.

## **CHAPTER 2 THE ELECTORAL COMMISSION**

### **2.1 Mandate and Core values**

The Electoral Commission is a body responsible for the general direction of and the supervision over the conduct of Local Government, Parliamentary and Presidential elections as well as referenda in Malawi.

The Mission of the Commission is to professionally deliver credible, transparent, inclusive, efficient and cost-effective elections to promote and entrench democratic values and peace in Malawi.

In order to achieve its mission, the Commission is guided in all its

activities by the following key principles:

a) **Integrity:** carrying out its activities in an honest and truthful manner and taking all reasonable measures to prevent wilful wrongdoing by its staff/officials; and ensuring compliance and demonstrating respect for electoral laws and the laws of the country

b) **Independence:** ensuring that it operates freely in its own best judgment without taking directives from or being controlled by any person or authority.

c) **Professionalism:** endeavour to have properly trained, motivated and disciplined staff committed to the delivery of credible elections.

d) **Transparency**



MEC Commissioners and staff spell integrity during a workshop

**and accountability:** promoting open door policy and ensuring that transparency and accountability are inherent in all the Electoral Commission's activities and interactions, both horizontal and vertical and improving its performance through monitoring and evaluation, documenting its operations and freely disseminating them to all its stakeholders.

**e) Excellence:** striving to be above standard in the delivery of services.

## **2.2 Establishment and functions**

The Electoral Commission is established under Section 75 of the Constitution of the Republic of Malawi. It is mandated under Section 76 of the Constitution to exercise such functions in relation to elections as are conferred upon it by the Constitution or by an Act of Parliament. In addition to the broad functions and powers conferred on it by the Constitution, Section 8 of Electoral Commission Act no. 11 of

1998 (ECA) mandates the Commission to exercise general direction and supervision over the conduct of every election. The same provision outlines the duties of the Commission which include:

- a) the determination of the number of constituencies for purposes of elections,
- b) supervision of the demarcation of boundaries of constituencies,
- c) organizing and directing the registration of voters,
- d) devising and establishing voters' registers and ballot papers;
- e) printing, distributing and taking charge of ballot papers and voters' registers,
- f) approving and procuring ballot boxes,
- g) establishing and operating polling stations, and
- h) establishing security conditions necessary for the conduct of every election in accordance

with any written law governing elections.

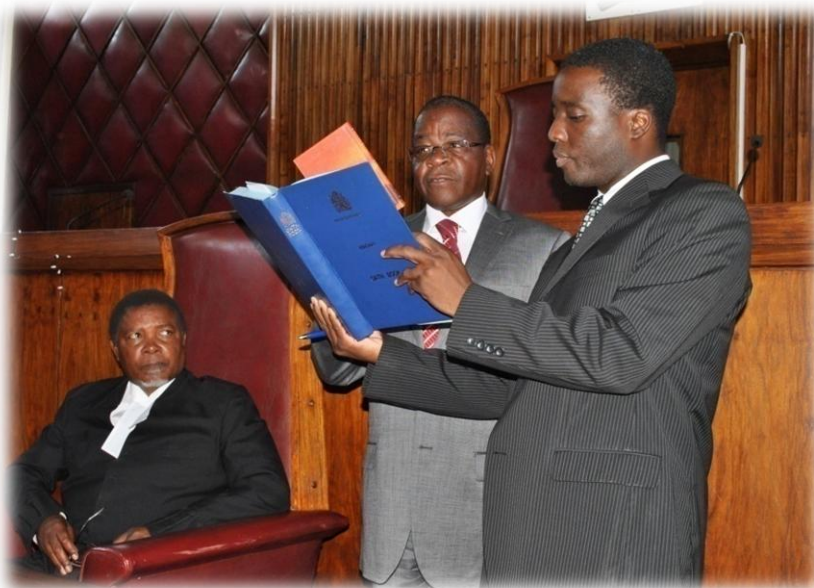
While section 76 of the Constitution lists the powers and functions of the Commission, the Parliamentary and Presidential Elections Act no. 31 of 1993 (PPEA) as amended and the ECA stipulate in detail the rules and procedures that facilitate the organization, planning and execution of elections.

The Commission has also powers to regulate its own procedures by standing orders and powers to vary, suspend or revoke those standing orders.

Further, on recommendation to the Minister of Justice, the Commission may introduce regulations to enable it improve its work.

Section 6 of the Electoral Commission Act provides for the independence of the Commission in

the discharge of its duties. Consequently, the Commission is not subject to the direction of any other person or authority; instead, it sets up its own policy framework for the organization as well as for carrying out its specific tasks through its various institutional structures. However, for purposes of accountability only, the Commission is answerable and reports directly to the President on the overall fulfilment of its functions and powers.



Justice Mbendera SC taking oath of office as MEC chairman

### **2.3 Appointment of Commissioners**

In accordance with Section 75 (1) of the Constitution, and Section 4(1) of the Electoral Commission Act, the

Commission is composed of a Chairperson who is a judge, nominated in that behalf by the the President in consultation with leaders of political parties represented in the National Assembly. The current Commission is composed of the Chairperson and nine (9) other Commissioners. The members of the current Commission, with the exception of the Chairperson, were appointed on May 19, 2012 by President of the Republic in accordance with provisions of section 75 of the Constitution as read with section 4 of the EC Act.

Initially a total of 10 Commissioners, excluding the Chairperson were appointed, however, one Commissioner Dr Bertha Simwaka resigned effective 25th August 2013 when she secured employment in Europe. During the conduct of the tripartite elections the full Commission was composed of:

- Justice Maxon Mbendera  
SC; Chairperson

Judicial Service Commission and not less than 6 members appointed by

- Commissioner Reverend Maxwell Mezuwa Banda;
- Commissioner Stanley A. M. Billiat;
- Commissioner Gloria Angella Chingota;
- Commissioner Reverend Emmanuel Chinkwita-Phiri;
- Commissioner Reverend Allan Moyomsana Chiphiko;
- Commissioner Archbishop Emeritus Dr Bernard Malango;
- Commissioner Elvey Kalonga Mtafu;
- Commissioner Dr Wellington Mkwepu Nakanga;
- Commissioner Nancy Gladys Tembo;

Justice Maxon Mbendera, Sc was appointed Chairperson of the Commission on 9<sup>th</sup> October 2012<sup>1</sup>.

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<sup>1</sup> The Constitution, section 75 (1)



Justice Maxon Mbendera SC  
Chairman

# MEC COMMISSIONERS

## 2012—2016



Rev Maxwell Mezuwa Banda



Mr Stanley Billiat



Mrs Gloria Chingota



Rev Ambassador Emmanuel  
Chinkwita-Phiri



Rev Allan Moyomsana  
Chiphiko



Mrs Elvey Kalonga  
Mtafu



Archbishop Emeritus Dr  
Bernard Malango



Dr Wellington Mkwepu  
Nakanga



Mrs Nancy Gladys  
Tembo

## 2.4 The Secretariat



Willie Kalonga, Chief Elections Officer

The Commission has a Secretariat which serves as the administrative and support structure of the Commission. It is headed by the Chief Elections Officer, currently Mr. Willie Kalonga. The Chief Elections Officer is supported by two deputies, one responsible for Operations, and another responsible for Administration and Finance. While the Operations division is directly responsible for the design, development and implementation of electoral programmes; the Finance and Administration division is

responsible for financial and general service administration.

There are seven directorates: Electoral Services, Administration and Human Resources, Finance, Information and Communication Technology, Civic and Voter Education, Audit and Media and Public Relations. In addition, the Commission has three Regional Elections Officers who are responsible for all electoral activities at the regional level (see Appendix 1 for the names and designations of the management team).

The Regional Elections Officer is assisted by District Elections Clerks who are based in all councils. These officers safeguard election materials, provide logistical support during registration and polling. Overall, the District Elections Clerks project an acceptable image of, and uphold good public relations for the Commission in the districts.

In addition to the regular staff, the Commission hired temporary staff to

perform the functions of registration of voters, data capturing and verification, warehousing and polling. After selection, the staff went through rigorous training to equip them with relevant skills. The Commission engaged Primary Education Advisors (PEAs) as Constituency Returning Officers (CROs) and District Commissioners (DCs) as District Elections Coordinators.

## **2.5 Establishment of Commission Committees**

The Commission established four committees to enhance its performance<sup>2</sup>. These Committees were:

- a) Electoral Services
- b) Finance and Administration
- c) Audit
- d) Media, Civic and Voter Education

### **2.5.1 Electoral Services Committee**

The Committee is responsible for all operations in the conduct of

elections such as registration of voters, computerization of the voters' register, legal matters, logistics, monitoring of campaign by candidates and political parties, preparation of manuals and training of staff. The Committee is also responsible for the implementation of established procedures as well as introduction of innovations in the conduct of the elections.

### **2.5.2 Finance and Administration Committee**

The Committee manages all financial and administrative requirements for the conduct of elections such as budgeting, preparing financial reports, expenditure control, procurement of equipment and materials, recruitment of staff and payment thereof. It is also the responsibility of this committee to manage transport requirements.

### **2.5.3 Audit Committee**

The Committee is responsible for the following:- reviewing the

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<sup>2</sup> EC Act, section 7

effectiveness of internal controls and risk management systems and makes appropriate recommendations for the improvement in secretariat control; considering major findings of internal and external auditors and ensuring that the Commission complies with legal requirement, relevant regulations and good governance.

#### **2.5.4 Media Civic and Voter Education Committee**

The Committee coordinates implementation of civic and voter education at all levels and recommends accreditation and supervises<sup>341</sup> accredited civic and voter education service providers. The committee is also responsible for the development, implementation and review of the communication strategy. It also

facilitates press conferences, radio and television programmes. It coordinates monitoring of media coverage on election issues through the Media Monitoring reports generated by Malawi Communications Regulatory Authority (MACRA).

#### **2.6 Technical Assistance**

The Commission with the assistance of the basket fund managed by UNDP was availed with four consultants. These were Senior Elections Advisor, Logistics Advisor, Legal Advisor who worked hand in hand with three local lawyers and External Relations and Outreach Advisor.



Comm. Chipchiko, MCVE member addressing a voter education meeting

A number of donor partners provided support to the Commission as part of preparations for 2014 elections outside the UNDP managed basket fund. For instance, the European Union provided support for the review of electoral laws, development and printing of strategic plan, civic and voter education strategy, review and printing of political party code of conduct and training of staff and stakeholders in BRIDGE courses.

## **2.7 Electoral Commission Offices**

The Electoral Commission has its Headquarters in Blantyre. This is the hub of the Commission's activities. However, as part of its decentralization programme, the

Commission has three Regional offices which play a pivotal role in all electoral activities and provide a link to the district operations. These are:-

- Regional Elections Office North, which is situated in Mzuzu
- Regional Elections Office Centre, situated in Lilongwe
- Regional Elections Office South, situated in Blantyre.

Each regional office has basic infrastructure and a warehousing facilities. During an electoral event, such as registration or polling, election materials are sent to the regional offices for further distribution to the registration/polling sites. The Regional Officers coordinate the operations in their respective regions.

At council level, the Commission has an office at the councils' premises from where the District Elections Clerks operate.



MEC head office, Chisankho House in Blantyre

## **CHAPTER 3 PLANNING AND IMPLEMENTATION**

### **3.1 Review of Electoral Laws**

As part of planning tasks for the elections and in view of past post-electoral recommendations the Commission initiated a process of review of the electoral laws. A Taskforce on the Amendment of Electoral Laws was instituted in November, 2012 comprising members from the Electoral Commission, Law Commission, Ministry of Justice, Public Affairs Committee (PAC), Media Organizations, Centre for Multiparty Democracy (CMD), Members of Parliament (MPs) and Civil Society Organizations (CSOs) with the mandate of reviewing the electoral laws so that the holding of Tripartite Elections in 2014 could be facilitated.

The Taskforce submitted its report to the Commission in January, 2013 and thereafter the Commission forwarded the report to the Ministry of Justice to promulgate bills for Parliament consideration. In the end Parliament amended the Electoral Commission Act, the Parliamentary and Presidential Elections Act and the Local Government Elections Act (LGE Act) to facilitate for the conduct of Tripartite Elections in 2014.

### **3.2 Strategic Planning**

The Commission developed a five



MEC Chairman, Justice Mbendera SC (right) giving a copy of the strategic plan to Mr Steve Duwa, chairperson of MESN

year Strategic Plan (2013-2017) to guide its activities. The Strategic Plan was developed taking into account the framework of the standard election cycle, post-mortem of the 2009 General Elections, and reviews on observer mission reports for past elections. The Commission launched its Strategic Plan on 14<sup>th</sup> June 2013 in Blantyre.

From October 2012 to May 2013 an elections budget and calendar for the 20<sup>th</sup> May, 2014 elections were drawn and started effectively being implemented from July 2013 (see Appendix 5). All the activities in the electoral calendar were implemented with flexibility as it allowed and accommodated inputs from major stakeholders. The Commission also developed the Civic and Voter Education Strategy

together with the Strategic Plan.

### **3.4 The Budget**

The initial budget amounted to MK19.1 billion. After several discussions with the Government and Development Partners, the final budget was revised to MK18.4 billion and approved by Parliament in the 2013-2014 fiscal year.

The budget was supposed to be split into two financial years namely 2012-2013 and 2013-2014. The initial budget for electoral activities preparedness was submitted to government during the 2012-2013 budget sessions. However, this



which was launched MEC warehouse staff load registration material for distribution to centres

budget was not approved consequently affecting the implementation of activities in the electoral process.

The initial assumption on the compilation of the budget was that on voter registration, it would entail an update of the voters' register rather than a full registration. When eventually it was decided that a full registration should be done, the

budget was again revised to reflect the new direction. However, it was agreed with Government and donor partners that expenditures should still be within the approved budget despite the change in

nature of the registration.

Midway through the implementation process, there emerged inflationary trends and other developments. These included increases in the price of fuel, additional costs arising from the breakdown of the equipment leading to time-slippage. This led to scaling down of activities in order to be within the approved budget. The summary details of the approved budget are as shown below:



| Table 1: Final budget as approved by Parliament and actual expenditure |                 |                 |                  |                   |                          |  |
|------------------------------------------------------------------------|-----------------|-----------------|------------------|-------------------|--------------------------|--|
| Actual expenditure of the Tripartite Elections at 30 September 2014    |                 |                 |                  |                   |                          |  |
| Activity Driver                                                        | Approved Budget | Expenditure MEC | Expenditure UNDP | Total Expenditure | Under/(Over) Expenditure |  |
| Civic and Voter Education                                              | 1,656,291,794   | 1,380,258,520   |                  | 1,380,258,520     | 276,033,274              |  |
| Media and Public Relations                                             | 514,347,965     | 229,866,071     |                  | 229,866,071       | 284,481,894              |  |
| Demarcation                                                            | 240,267,533     | 240,267,533     |                  | 240,267,533       | 0                        |  |
| Voter Registration                                                     | 6,872,969,201   | 6,467,250,031   | 317,385,122      | 6,784,635,153     | 88,334,048               |  |
| Nomination                                                             | 106,243,963     | 112,412,641     |                  | 112,412,641       | (6,168,678)              |  |
| Inspection of Voters Roll                                              | 571,132,717     | 739,756,416     |                  | 739,756,416       | (168,623,699)            |  |
| Polling                                                                | 6,948,914,196   | 1,433,351,097   | 6,649,997,417    | 8,083,348,514     | (1,134,434,318)          |  |
| Management of Elections                                                | 1,133,520,676   | 875,327,594     |                  | 875,327,594       | 258,193,082              |  |
| Political Environment                                                  | 362,332,509     | 149,671,474     |                  | 149,671,474       | 212,661,035              |  |
| Totals                                                                 | 18,406,020,554  | 11,628,161,377  | 6,967,382,539    | 18,595,543,916    | -189,523,362             |  |
|                                                                        |                 |                 |                  |                   |                          |  |

As it can be observed from the table, Nomination, Inspection of the Voters' Register and Polling registered over expenditure. For Inspection, the voters register experienced some challenges in that the initial register had some inadequacies. The exercise was, therefore, suspended and a quality control initiated which resulted in an acceptable voters' register being produced. The inspection process was then conducted in three phases.

The major cause of the over expenditure during polling was the revision of poll workers' honoraria and rising fuel prices among others. It transpired that during registration, staff had threatened to down tools owing to low honoraria. To mitigate against similar scenario during polling, the Commission made a decision to revise the same.

## **2.5 Challenges in Planning and implementation**

The planning and implementation processes faced a number of challenges as follows:

The budgeting process for the elections were protracted. The agreement was reached in May 2013 affecting the procurement of certain registration materials.

Problems affecting the Government's accounting system affected the MEC significantly. The control measures put in place by Government such as the sudden six days government cheque clearing period created challenges in meeting some obligations timely.

The Commission also encountered unexpected occurrences. One example was the violence that emanated in some polling centres. In order to allow the people to still vote, the Commission had to reprint ballot papers and this led to more unforeseen expenditures.



People vote in Ndirande before violence erupted

## **CHAPTER 4 DEMARCATION OF WARDS AND CONSTITUENCY**

### **BOUNDARIES**

#### **4.1 Legal Provisions**

The Commission is mandated to carry out demarcation of constituencies every five years according to the Constitution Section 76 (2) (b). The Commission made no changes to the constituency boundaries and the total number of constituencies remained 193; Northern Region 33, Central Region 73 and Southern Region 87 as was the position in 2009 elections. The Commission did not conduct the process due to time

factor from the time the Commission was constituted.

The Commission conducted demarcation of wards in accordance with the Electoral Commission Act Section 8 (1) (c) which provides that:

I. In the case of City of Blantyre, the total number of wards shall not exceed thirty;

II. In the case of City of Lilongwe, the total number of wards shall not exceed thirty;

III. In the case of the City of Mzuzu, the total number of wards shall not exceed fifteen;

IV. In



A public hearing on ward demarcation in Balaka

the case of the City of Zomba, the total number of wards shall not exceed ten;

- V. In the case of Kasungu Municipal Council, the total number of wards shall not exceed ten;
- VI. In the case of Luchenza Municipal Council, the total number of wards shall not exceed eight;
- VII. In the case of Mangochi Town Council, the total number of wards shall not exceed ten; and
- VIII. In all other cases, the number of wards shall not exceed two (2) for each parliamentary constituency.

The Commission determined ward boundaries on the basis of ensuring that wards in a constituency/city, municipal and town council contain approximately equal numbers of people subject only to consideration of population density, ease of communication, geographic

features and existing administrative areas as contained in Section 76 of the Malawi Constitution, that guide the demarcation process.

#### **4.2 Demarcation Committees**

The Commission created demarcation committees at council level to manage the process. In district councils, the committees were headed by District Commissioners and in other local councils (city, municipal and town) the committees were headed by Chief Executive Officers. Other committee members were District Election Clerks, Director of Planning and Development and a Technician from the Surveyor General's Office either a Cartographer or Surveyor or Land Planner. The committees were appraised on the guidelines in the demarcation process and steps in the actual demarcation of ward boundaries. The members were given instructions on how to use demarcation tools and a practical session was done followed by discussions of the process.

The committees were provided with materials and tools and they were given a maximum of three weeks to complete the demarcation exercise. The exercise started with production of scenarios followed by calculation of populations for each scenario and the selection of the best scenario after a number of adjustments. The committees then provided proposed names of the demarcated wards based on natural features and other prominent features in the particular area.

#### **4.3 Field Work**

As boundaries follow geographical features or existing administrative boundaries, with environmental changes and developmental activities taking place, there are times and instances where the features and names appearing on the base maps change hence the need to check on ground. After the field checks descriptions of boundaries were finally written. Included in the compilations were registration centers for each ward.

Each council demarcation committee prepared and presented its proposed report to the Malawi Electoral Commission. The Commission undertook quality control of the reports and produced maps in accordance with the reports and council sketch maps.

Each report included the descriptions of boundaries of each ward, the population figures, proposed names of the wards and names of centres allocated to the wards.

#### **4.4 Public Hearings**

To ensure public participation, the Commission carried out public hearings in all councils. The exercise started on 19<sup>th</sup> December, 2012 and ended on 4<sup>th</sup> June, 2013. Apart from inviting stakeholders, anyone having interest in the ward demarcation such as the electorate, civil society organizations, businessmen, traditional leaders and politicians were allowed to participate in the discussions of the hearings. During the hearings the Commission used

maps and descriptions of the proposed boundaries and centres allocated to the wards.

In order for the hearings to be successful, maps showing proposed boundaries and descriptions were displayed and viewed in public areas including

T/A Headquarters for a period of two to three weeks. The place, date and time of the viewing and hearing were published through adverts in local papers and the radio.

#### **4.5 Commission Determinations**

After the public hearings the Commission reviewed the proposed boundaries taking into consideration any objections brought forward.

The Commission then demarcated 462 wards as follows; Northern Region 79, Central Region 172 and Southern Region 211.

The Commission approved a total number of 548 new centres bringing



A map scenario displayed during a public hearing

the total number of centres to 4,445 from 3,897 in 2009 in response to stakeholders' requests during public hearings. Across the three regions, the centres were distributed as follows: North 948, Central 1,844 and Southern 1,653.

After the approval of the wards and centres, final maps were compiled and a list of registration/polling centres according to wards, constituencies and regions were produced and made available to all stakeholders.

The Commission emphasised during the consultative and public meetings that it had planned to conduct a

comprehensive review of constituency and ward boundaries in 2015 in accordance with its Strategic Plan and provisions of the electoral laws.

#### 4.5 Challenges

A number of challenges were faced during the demarcation exercise.

- Some stakeholders were unable to differentiate between ward and traditional authority boundary issues.
- The wards were demarcated in accordance with the provisions of the Electoral Commission Act that there should

not be more than two wards per constituency in district councils. As a result of the use of constituencies, which are not equal in both

size and population, the Commission was unable to come up with wards of reasonably equal size.

#### 4.6 Conclusion

Despite the challenges faced, the Commission managed to finish the demarcation exercise within schedule and produce the final maps that were used for registration



Justice Mbendera SC addressing a public hearing

of voters. Through the public hearings, all queries stakeholders had were addressed.

## **CHAPTER 5 REGISTRATION OF VOTERS**

### **5.1 Introduction**

As part of preparations for the Tripartite Elections, the Commission conducted registration of voters from 22<sup>nd</sup> July to 18<sup>th</sup> December, 2013 in 9 phases. This was a fresh registration exercise.

The Commission used the Optical Mark Recognition (OMR) based registration system whereby data was captured in the field on a form and transported to MEC Head Office for capturing. A voters' register was then generated based on the data captured.

### **5.2 Planning for registration**



QCMs and camera operators attending training on registration

There were 4,445 registration centres in the country but the Commission had 452 sets of registration equipment. Since the sets of equipment were insufficient for all centres, a one-off registration for the whole country could not be conducted. Accordingly, registration teams equivalent to available sets of equipment were mobilised. The registration exercise was initially planned to take place in 10 phases, but the phases were reduced to 9 during implementation because the UNDP bought additional 318 sets of registration equipment which led to the increased coverage of centres in

subsequent phases (refer to Appendix 3).

Each phase lasted 14 days with an additional transitional period of 3 days to enable the teams move to the next registration centres.

## **5.2 Recruitment and Training of Voter Registration Staff**

The Commission recruited Centre Supervisors, Quality Control Managers, Camera Operators and Registration Clerks to facilitate the registration exercise. The Malawi Police Service provided security personnel in all centres where registration was taking place. The Commission trained the Supervisors, Quality Control Managers and Camera Operators to train Registration Clerks in their respective teams for each centre. Apart from the Quality Control Managers and Camera Operators, the rest of the registration staff that the Commission engaged were primary school teachers from those schools that served as registration centres.

Political parties were informed of the training activities and were encouraged to send their monitors to

observe the training so that they would objectively monitor the actual registration process.

## **5.3 Registration Operation**

Each registration team consisted of a Registration Supervisor, Quality Control Manager, Camera Operator and three Registration Clerks. Where registration projection was more than 2,400 at a centre, additional teams were deployed to ensure that all eligible voters were captured within the 14 day period. Two security personnel were deployed at each registration centre.

Political parties, Civil Society Organisations and other stakeholders



Former State President, Dr Joyce Banda registering as a voter

monitored the exercise through their designated representatives or agents who were duly accredited by the MEC.

The registration plan was revised taking into account concerns raised by electoral stakeholders. Issues raised included going to areas where rains start early to conduct registration as opposed to initial registration programme. Special consideration was also given to students who had missed registration exercise due to phased registration. These initiatives were taken in the spirit of inclusiveness so that eligible voters were not disenfranchised.

#### **5.4 Monitoring and Observation of the Registration Exercise**

Pursuant to Section 27 and 105 of the PPE Act and Section 18 and 88 of the LGE Act the Commission extended invitations to international and local observers to observe the registration process. The observers covered both the registration and inspection of the voters' register.

The Commission accredited these international and local observers to observe registration of voters and the entire electoral process. Political parties were also asked to provide monitors at every centre to monitor the registration of voters on their behalf. The National Initiative for Civic Education monitored the registration at all centres while other non-governmental organisations only monitored some of the centres. Political parties too monitored most registration centres.

#### **5.5 Transport Logistics for the registration exercise**

The phased registration exercise posed challenges to the Commission because of the complications in the deployment of materials and staff from one phase to the other. The Elections Transport Task Force worked tirelessly to mobilise vehicles for the exercise.

At the commencement of the registration exercise, Government Ministries and Departments and the Malawi Defence Force released some of their vehicles for use in the

exercise to transport materials and registration staff to the districts. Additional vehicles were sourced from statutory bodies. Buses were also hired to supplement transportation needs; particularly transportation of QCMs and COPs from one district to another. Boats were also used in areas that could not be accessed by vehicles.

### **5.6 Processing of the Registration Forms**

Registration was done on special forms called Optical Mark Recognition (OMR). Fortnightly, the registration forms were moved from registration centres to the MEC's Head Office via their respective district and regional offices to be processed by the ICT Department. During the processing, the forms were scanned using special OMR scanners. In order to adhere to the set timeframes, the Commission recruited 180 data capturing clerks who worked around the clock in three shifts.

The Commission initially had five scanners at the start of the scanning

exercise. The UNDP procured two additional scanners in December 2013 to speed up the scanning process.

### **5.7 Printing and Inspection of the Preliminary Voters' register**

Preliminary voters' registers were printed for display in centres to allow voters and stakeholders to inspect the register.

The inspection exercise provided the opportunity for registered voters to verify correctness of their details in the voters' register. In accordance with the electoral calendar, the exercise was planned to run from 24<sup>th</sup> to 28<sup>th</sup> March, 2014. However, as the exercise started, inadequacies in relation to the voters' register were noted. There were also some transport challenges in terms of inadequate fleet of vehicles and unsuitable vehicles in areas where it was still raining. This led to the suspension of the exercise on the second day, the 26<sup>th</sup> of March, 2014. The Commission instituted teams to re-work on the voters' register to address these anomalies.

The period between 26<sup>th</sup> March and 29<sup>th</sup> April was dedicated to in-house cleaning of the voters' register in readiness for another voter verification exercise in three phases. The first phase of verification ran from 9<sup>th</sup> to 13<sup>th</sup> April 2014. The second and third phases were conducted from 21<sup>st</sup> to 25<sup>th</sup> April and from 1<sup>st</sup> to 5<sup>th</sup> May, 2014 respectively. (see Appendix 4.)

In the course of voter verification drive, the Commission in partnership with Malawi Electoral Support Network (MESN) through Malawi Election Information Centre (MEIC) with funding from Open Society Initiative for Southern Africa (OSISA) introduced verification through SMS and via the web. This was a free facility to the voter and it worked effectively. Over 200, 000 people verified through text messages (SMS). After the closure of centres for verification, voters still verified their

details through SMS and web up to 15<sup>th</sup> May, 2014

### **5.8 Printing of the final Voters Register**

The total preliminary figure after the registration exercise was 7,537,548. However, the figure was reduced to 7,470,806 after the inspection of the voters register. A voters' register with coloured photographs was printed for each stream with a maximum of 800 voters.

### **5.9 Challenges during Registration and inspection of the voters' register**

The registration exercise faced problems of inadequate transport and cases of equipment failure because some of them were old and in other cases due to poor handling.

### **5.10 Conclusion**

The Commission successfully managed to cover all the registration centres despite some challenges and the registration exercise was a success.

## **CHAPTER 6 NOMINATION**

### **6.1 Nomination Process**

Nomination involves presentation of candidature to stand in an election backed by registered voters. The process started with the collection of nomination papers from 16<sup>th</sup> January 2014 and ended with the presentation of the



State President Prof Mutharika signing for his candidature certificate

papers to the Commission on 14<sup>th</sup> February 2014. Thereafter, an in-house process of analysing the forms commenced.

Malawi uses the First-Past-The-Post (FPTP) electoral system whereby the candidate who gets the most votes becomes the winner. For the purposes of conducting the Local Government Elections the country was demarcated into 462 wards and 193 constituencies for parliamentary elections. Each ward/constituency elects one Member of Council/Parliament. In the case of

presidential elections the whole country is taken as one constituency.

Each registered political party had the right to sponsor one candidate in every constituency/ward. On account of this, one constituency or ward could have as many candidates as possible depending on the number of contesting parties. In addition, any aspiring person can stand as an independent candidate in a constituency or ward. To contest as a local government, parliamentary or presidential candidate an aspirant could either be nominated by a registered

political party or stand as an independent candidate, and was also required to fulfil the legal requirements for the desired position.

## 6.2 Qualifications for Nomination

To qualify as a parliamentary

candidate, Section 51 of the Constitution defines the eligibility criteria which states, *inter alia*, that a person must be:

- a) A citizen of Malawi,
- b) 21 years of age,
- c) Able to speak and read the English language well enough to take part in the proceedings of Parliament,
- d) Not convicted of a crime of dishonesty or moral turpitude,
- e) Not the holder of a public office, not serving in the Defence or Police Force, and who



Former State President, Dr Banda receiving her certificate of candidacy from MEC Chairman, Justice Mbendera SC

- f) Does not owe allegiance to a foreign country.

To qualify to be a presidential candidate, Section 80.6 of the Constitution defines the eligibility criteria which state that a person must be:

- a) a citizen of Malawi,
- b) 35 years of age,
- c) Not of unsound mind, bankrupt, convicted of crime in the last 7 years involving dishonesty or moral turpitude,
- d) not owing allegiance to a foreign country, and

- e) Not the holder of a public office or serving in Police or Defence Force

To qualify as a local government elections candidate,



Section 27 (1) of the MCP President Dr Lazarus Chakwera shows his certificate

LGEA defines eligibility criteria which state that a person must:

- (a) Have attained the age of 21 years at the time of nomination
- (b) Be able to speak and read the English language well enough to take an active part in proceedings of the Council; and
- (c) Be a registered voter

### 6.3 Submission of Nominations

The Commission worked hand-in-hand with the Centre for Multiparty Democracy (CMD) in the distribution of nomination forms to political parties. Political parties collected

nomination papers through CMD while independent candidates contesting the local government and parliamentary elections collected their papers from respective council offices. Those aspiring for the presidential positions collected the forms from the Commission head quarters.

The nomination papers contained sufficient details to identify an aspiring candidate. This included evidence of citizenship, proof of registration as a voter and ability to speak and read English language well enough to take an active part in the proceedings of Parliament or local council. Nomination

procedures included submission of the duly completed nomination paper which was signed by ten (10) registered voters from the ward/constituency for local government and/or parliamentary candidate; and by ten (10) registered voters, from each district, for each presidential candidate.

Each parliamentary candidate paid a nomination fee of MK200, 000 for male contestants and MK150, 000 for female contestants; for local government elections male candidates paid MK20, 000 and female candidates paid K15, 000 while each presidential candidate paid a nomination fee of MK1, 000, 000. The Commission reduced the nomination fees for female local

government and parliamentary candidates to encourage their participation as candidates in the elections.

Submissions of nomination papers for parliamentary, presidential and local government elections were done from 10<sup>th</sup> to 14<sup>th</sup> February 2014. Parliamentary and local government candidates' nomination papers were submitted to the Constituency Returning Officers stationed at Council offices. For Presidential candidates, submissions were made to the Commission at the Chichiri International Conference Centre Hall in Blantyre. Each aspiring presidential candidate was allocated specific date and time for submitting his or her nomination papers.



UDF president, Atupele Muluze (seated centre) signing for his certificate of candidacy

During the submission of nomination papers, candidates were given two copies of the Electoral Code of Conduct for Political Parties and Candidates to sign. One copy was returned to the

Commission while the other copy was retained by the candidate. The signing of the code signified the acceptance of the candidates and their supporters to abide by the Code of Conduct.

#### **6.4 Analysis of Nomination Papers and Approval of Candidates**

Nomination papers were scrutinized and approved by the Commission.

A record of twelve presidential candidates were registered of which one candidate was declared by the Commission as ineligible to contest on the grounds of being employed in the public service but the decision was overruled by the High Court.

In relation to parliamentary contestants there were also issues to do with eligibility of candidature

while employed in the public service. However, following court determinations all contestants affected were accepted to stand in the elections.

Independent candidates and others from seventeen (17) political parties presented nominations for the 20 May 2014 parliamentary elections. There were 1,293 candidates contesting the Parliamentary elections. Of these, 417 stood as independent candidates. Of the contestants, 261 were females. For presidential elections, 12 candidates contested the presidential race, of which two were females.

On the other hand, 18 parties participated in the Local Government elections.

There were 2,412 candidates in the local government elections of which 576 were independents and 419 were women.

A list of all validly nominated candidates was published in the Gazette no. 3199: Vol. LI No. 11 on 7th March, 2014.



MEC staff preliminarily analyse nomination paper

**Table 2: Approved 2014 Presidential Election Candidates**

| <b>No.</b> | <b>Name of Candidate</b>                                                            | <b>Affiliation</b>           |
|------------|-------------------------------------------------------------------------------------|------------------------------|
| 1          | Dr. Joyce Hilda Banda<br><br><b>Running mate:</b><br><br>Sosten Alfred Gwengwe      | Peoples Party (PP)           |
| 2          | Dr. Lazarus McCarthy Chakwera<br><br><b>Running mate:</b><br><br>Richard Msowoya    | Malawi Congress Party (MCP)  |
| 3          | Kamuzu Walter Chibambo<br><br><b>Running mate:</b><br><br>White Millen Scander      | PETRA                        |
| 4          | Prof. John Chisi<br><br><b>Running mate:</b><br><br>James William Tayub             | Umodzi Party                 |
| 5          | Friday Anderson Jumbe<br><br><b>Running mate:</b><br><br>Joseph Petro Kubwalo       | New Labour Party (NLP)       |
| 6          | Aaron Davies Chester Katsonga<br><br><b>Running mate:</b><br><br>Godfrey Matenganya | Chipani Cha Pfuko (CCP)      |
| 7          | Mark Katsonga Phiri                                                                 | Peoples Progressive Movement |

|    |                                                                       |                                                  |
|----|-----------------------------------------------------------------------|--------------------------------------------------|
|    | <b>Running mate:</b><br>Prof. Jacob Crossan Fojamuhlen Mbunge         | (PPM)                                            |
| 8  | Atupele Muluzi<br><b>Running mate:</b><br>Dr. Godfrey Moses Chapola   | United Democratic Front (UDF)                    |
| 9  | Prof. Peter Mutharika<br><b>Running mate:</b><br>Saulos Klaus Chilima | Democratic Progressive Party (DPP)               |
| 10 | George Nnesa<br><b>Running mate:</b><br>Sylvester Chabuka             | Malawi Forum for Unity and Development (MAFUNDE) |
| 11 | James Mbowe Nyondo<br><b>Running mate:</b><br>Ethel Peter Changa      | National Salvation Front (NASAF)                 |
| 12 | Abusa Helen Singh<br><b>Running mate:</b><br>Chrissy Ndhliwase Tembo  | United Independence Party (UIP)                  |

**Table 3: Summary of Approved 2014 Parliamentary Elections Candidates**

| SERIAL NO. | SPONSOR                                           | GENDER     |             | TOTAL       |
|------------|---------------------------------------------------|------------|-------------|-------------|
|            |                                                   | Male       | Female      |             |
| 1          | Alliance for Democracy (AFORD)                    | 11         | 1           | <b>12</b>   |
| 2          | Peoples Party                                     | 149        | 44          | <b>193</b>  |
| 3          | Chipani Cha Pfuko                                 | 0          | 6           | <b>6</b>    |
| 4          | Democratic Progressive Party (DPP)                | 147        | 44          | <b>191</b>  |
| 5          | Malawi Congress Party (MCP)                       | 128        | 32          | <b>160</b>  |
| 6          | Malawi Peoples Party (MPP)                        | 1          | 0           | <b>1</b>    |
| 7          | Malawi Forum for Unity and Development. (MAFUNDE) | 3          | 1           | <b>4</b>    |
| 8          | National Salvation Front (NASAF)                  | 23         | 3           | <b>26</b>   |
| 9          | New Rainbow Coalition (NARC)                      | 6          | 1           | <b>7</b>    |
| 10         | New Labour Party (NLP)                            | 2          | 2           | <b>4</b>    |
| 11         | Nthanda Congress Party (NCP)                      | 3          | 2           | <b>5</b>    |
| 12         | Peoples Democratic Movement (PDM)                 | 1          | 0           | <b>1</b>    |
| 13         | People's Transformation Party (PETRA)             | 4          | 1           | <b>5</b>    |
| 14         | People's Progressive Movement (PPM)               | 50         | 3           | <b>53</b>   |
| 15         | Umodzi Party (UP)                                 | 3          | 2           | <b>5</b>    |
| 16         | United Democratic Front (UDF)                     | 148        | 35          | <b>183</b>  |
| 17         | United Independence Party (UIP)                   | 14         | 5           | <b>19</b>   |
| 18         | Independent candidates                            | 333        | 86          | <b>419</b>  |
|            | <b>TOTAL</b>                                      | <b>261</b> | <b>1032</b> | <b>1293</b> |

**Table 4: Summary of Approved 2014 Local Government Elections Candidates**

| SERIAL NO. | SPONSOR                                           | GENDER     |             | TOTAL       |
|------------|---------------------------------------------------|------------|-------------|-------------|
|            |                                                   | Male       | Female      |             |
| 1          | Alliance for Democracy (AFORD)                    | 9          | 22          | <b>31</b>   |
| 2          | Chipani Cha Pfuko                                 |            | 6           | <b>6</b>    |
| 3          | Congress for National Unity (CONU)                |            | 1           | <b>1</b>    |
| 4          | Democratic Progressive Party (DPP)                | 65         | 362         | <b>427</b>  |
| 5          | Independent                                       | 67         | 509         | <b>576</b>  |
| 6          | Malawi Forum for Unity and Development. (MAFUNDE) | 5          | 3           | <b>8</b>    |
| 7          | Malawi Congress Party (MCP)                       | 61         | 250         | <b>311</b>  |
| 8          | Malawi Peoples Party (MPP)                        |            | 1           | <b>1</b>    |
| 9          | New Rainbow Coalition (NARC)                      | 2          | 16          | <b>18</b>   |
| 10         | National Salvation Front (NASAF)                  | 11         | 28          | <b>39</b>   |
| 11         | Nthanda Congress Party (NCP)                      | 4          | 4           | <b>8</b>    |
| 12         | New Labour Party (NLP)                            | 4          | 2           | <b>6</b>    |
| 13         | Peoples Democratic Movement (PDM)                 | 1          | 2           | <b>3</b>    |
| 14         | Peoples Transformation Party (PETRA)              |            | 5           | <b>5</b>    |
| 15         | Peoples Party                                     | 90         | 365         | <b>455</b>  |
| 16         | Peoples Progressive Movement (PPM)                | 14         | 32          | <b>46</b>   |
| 17         | United Democratic Front (UDF)                     | 70         | 349         | <b>419</b>  |
| 18         | United Independence Party (UIP)                   | 16         | 30          | <b>46</b>   |
| 19         | Umodzi Party (UP)                                 |            | 6           | <b>6</b>    |
|            | <b>TOTAL</b>                                      | <b>419</b> | <b>1993</b> | <b>2412</b> |

## **6.5 Conclusion**

The nomination exercise went on smoothly and there were no incidences of violence. Candidates observed the time allocated to them. Stakeholders also praised the Commission for its impartiality

especially during submission of presidential nominations. Using the CMD to distribute the nomination forms also relieved the Commission of some burden of work and proved to be effective.

## **CHAPTER 7 CAMPAIGN**

### **7.1 Political Parties/Contesting Candidates Official Campaign**

Campaigning affords contestants an opportunity to sell themselves and articulate their policies to the electorate. On the other hand, campaigning provides citizens



the opportunity to make informed decisions on their choices on prospective representatives who will govern them. Section 56 of the PPEA and Section 40 of the LGEA entitles all political parties and candidates to campaign in an election. For the 2014 Tripartite Elections, official campaign was launched on 20<sup>th</sup> March 2014 and closed 48 hours before opening of the poll on 20<sup>th</sup> May 2014.

All the aspiring candidates signed the Electoral Code of Conduct for Political Parties and Candidates during the nomination. Sections 56

Commissioner Chinkwita-Phiri leaves after launch of official campaign to 66 of the PPEA as well as Sections 41 to 50 of the LGEA also provide the framework and guidelines for the official campaign.

The Commission called upon all public media houses to give equal treatment to all political parties and candidates. Further, the Commission bought airtime vouchers to enable political parties to be heard on both the public and private electronic media.

Political parties campaigned across the country, and generally, the freedoms of assembly, movement and speech were respected.

## 7.2 Meeting with MBC

As one way of leveling the play field, the Commission held two meetings with the Board of the Malawi Broadcasting Corporation (MBC). The first meeting was held on April 4, 2014 at the MEC Head Office to find means

on how the broadcaster could treat all electoral players equitably. It was observed that the public broadcaster was biased towards the ruling party and its allies. This was confirmed by broadcasting monitoring reports by Malawi Communications Regulatory Authority (MACRA).

A follow up meeting was held on May 2, 2014. During this meeting it was observed that there had been some changes in the performance of the public broadcaster which, among other things, included the opening up to opposition political candidates and the broadcaster



Former MBC Board Chairperson, Evance Namanja addressing NECOF on the preparedness of MBC for campaign coverage

had introduced new electoral programmes.

## 7.3 Radio/TV Programmes

During the official campaign period, the Commission also asked political parties contesting presidential elections to produce and submit three minute radio campaign jingles. The Commission bought airtime for three weeks on various national and community radio stations for airing the same.

The Commission also arranged with the MBC that presidential candidates should have 30 minutes each of television airtime whereby

they could explain their manifestos. The Secretaries General were informed in writing and allocated specific time for their candidates to go to the MBC studio of their choice (Blantyre, Lilongwe or Mzuzu) for the recording. But only three participated in this exercise. No reasons were given on the failure by the other candidates.

The Commission also had a number of radio programmes where Commissioners explained the importance of violence-free campaign, keeping voter certificates safe, avoiding corruption and the importance of attending political rallies by the electorate. Listeners also had the opportunity to ask the Commissioners questions on various election issues.

#### **7.4 Public Debates**

The Commission planned to hold one presidential debate to depart from the traditional parliamentary debates only. In the course of the preparations for the elections, several stakeholders started

expressing interest to conduct presidential debates. The Commission, therefore, brought all of them to a roundtable to consolidate the efforts from the debate. From the round table discussions a task force was set up and it was chaired by the Commission. The Commission funded the first three meetings of the task force after which OSISA provided necessary funding. The Commission later handed over the chairmanship of the task force and organization of the debates to Media Institute of Southern Africa (MISA) Malawi.

The task force members included Malawi Electoral Commission, National Democratic Institute, Zodiak Broadcasting Station, Malawi Broadcasting Corporation, Public Affairs Committee, National Initiative for Civic Education, Catholic Commission for Justice and Peace, Centre for Multiparty Democracy, Netherlands Institute for Multiparty Democracy, Malawi Human Rights Commission, MISA Malawi, Malawi Electoral Support Network (MESN), Mtendere Electoral Support Network,

Young Politicians Union and NGO/Gender Coordination Network.

Three rounds of presidential debates were held. The first debate was held on April 22, 2014 in Lilongwe. The second one was on April 29, 2014 in Blantyre and the last one was on May 6, 2014 in Lilongwe.

### **7. 5 Electoral Code of Conduct for Political Parties and Candidates**



Participants to the review of code of conduct for political parties environment. Time

The MEC developed a Code of Conduct for Political Parties and candidates. The code was a tool for levelling the playing field and improving the conduct of elections. It detailed all the rights of parties and candidates. It also contained measures and mechanisms for cooperation with police, the MEC

and the media. Prohibited conduct and sanctions to defaulters were explained. The Code of Conduct also contained mechanisms for dealing with conflicts and a commitment to accept results of the elections or challenge the results by following relevant laws.

During the course of the campaign, the Commission kept on reminding all key players about the Code of Conduct which they had signed and were bound to follow at all times to ensure a peaceful election

and again, the Commission issued statements to condemn conduct that contravened the campaign guidelines. The efforts of the Commission were also reinforced by religious institutions calling for and preaching peace at meetings and in churches and mosques.

The Public Affairs Committee (PAC) organised the signing of peace agreement by all contesting political presidential candidates. Among other things the peace agreement implored all contestants to accept the results of the elections as announced by the Commission.

### **7.6 Political Environment**

The political environment in the run up to the May 20, 2014 tripartite elections was highly charged compared to previous elections. Issues and complaints brought before the attention of the Commission during stakeholders' meetings were perceived to be sensitive and contentious. They included the buying and selling of voter registrations certificates, the lack of compliance with the Media Code of Conduct by some media houses, and perceptions regarding the impartiality of the

Commission particularly, following the discovery of missing names from the Voters' Register during the aborted verification exercise. The issue of borrowing gas lamps, cylinders and tents from Zimbabwe Electoral Commission for use during polling raised unwarranted suspicion among stakeholders and was also discussed widely. The Commission responded by being transparent in all its handling of the issues.

### **7.7 Conclusion**

Generally the campaign for the tripartite elections was peaceful. Parties and candidates dwelt on issue-based campaign. The code of conduct for political parties and candidates was largely followed.



A delegate makes a contribution during NECOF meeting

## **CHAPTER 8 CIVIC AND VOTER EDUCATION**

### **8.1 Introduction**

The Electoral Commission Act (1998) Section 8(j) specifically mandates the Commission "to promote public awareness of electoral matters through the media



Commissioner Tembo presenting the CVE strategy during its launch

*and other appropriate and effective means and to conduct civic and voter education".*

The Commission solicited the support of various stakeholders such as CSOs, Traditional Leaders, Political Parties, the Media and other groups to assist in the delivery of Civic and Voter Education (CVE). This is in line with best practices, principles of participation and inclusivity which are crucial tenets in a democratic society. The stakeholders implemented CVE under the general direction and supervision of the Commission.

### **8.2 Civic and Voter Education Strategy**

A Civic and Voter Education (CVE) Strategy was developed to guide the Commission and stakeholders in the delivery of CVE for the 2014 Tripartite Elections.

The overall goal of the 2014 CVE was to contribute to the successful delivery of free, fair, and credible tripartite elections which are an important factor in the consolidation of democracy in Malawi.

In line with the Commission's Strategic Plan, the Civic and Voter Education Strategy specifically



A road show performance on voter registration

sought to achieve quality delivery of programmes, maintain a high level voter turnout and less than 3.5% null and void votes by 2017, promote socially excluded vulnerable groups in the society and promote smooth and peaceful conduct of elections.

### 8.3 CVE Focus

The CVE for the 2014 elections focused on motivating and mobilizing eligible citizens to register and turn out in large numbers to vote, provision of specific voter information on the various electoral processes and promoting issue-based civic education.

## 8.4 Implementation Methodology

Various strategies were used which included accreditation of 112 interested CSOs and 99 Drama Groups who had responded to a call for expression of interest to conduct CVE (see

Appendix 6); printing, dissemination and

distribution of 7,000 copies of the 2014 CVE Strategy to stakeholders and recruitment of 193 Constituency Civic and Voter Education Assistants (CCVEAs) to assist in the coordination and implementation of CVE activities at constituency level.

In addition, the Commission held 800 meetings at traditional leaders headquarters involving more than 20,000 village headmen to mobilize people to register and to vote in their respective wards prior to the registration and polling processes respectively. Chiefs, their subjects, religious leaders, CSOs leaders,



MEC staff addressing a CVE meeting

government officers attended these meetings. Furthermore the Commission used edutainment techniques of road shows, dance competitions, songs, comedies, question and answer competition, games, music, and for the distribution of promotional materials. Loudhailer vehicles were also used to mobilize eligible voters during registration and polling processes. These proved to be a handy and low-cost strategy of mobilizing people.

Radio and television programmes were aired on over 34 radio and 4 TV Stations. The jingles were produced in five main languages namely; Chewa, Lhomwe, Tumbuka, Sena and Yao in order to reach out to a

larger section of people in the country. Ballot education, polling processes and steps were featured on both radio and TV.

Over 1,000,000 posters, 1,000,000 brochures, 50,000 stickers in Chewa, Tumbuka and English languages were

distributed. A total of 500 MEC branded T-shirts, 1,000 caps and 500 key holders and 300 bags were also distributed.

Short Message Service (SMS) facility for voter registration was also employed as part of the CVE efforts. SMSes were sent using Telekom Networks Malawi, Airtel Malawi and Malawi Telecommunications Limited (MTL) to inform the general public about the various electoral processes. Over 1,000 CDs containing the theme songs were reproduced and distributed to all radio stations and other stakeholders. A total of 1,000 copies of CVE training manuals for CCVEAs and other stakeholders was produced and disseminated.



Accredited CSOs from the Centre attending a briefing

A video documentary on polling procedures and steps was developed and beamed. The beaming of the video documentary to the electorate was done in liaison with the Ministry of Information and Civic Education, the National Road Safety Council and A&M Plus in all the 462 wards and in all cities and municipalities. A total of 1,000 copies of the documentary were distributed to various stakeholders.

The Commission also participated in a human rights awareness march whose theme was related to elections and mounted a pavilion at Civo Stadium in Lilongwe at the launch of NICE as a public trust. During both events, the Commission distributed CVE materials and

interacted with various dignitaries who wanted to know more about Commission's role in civic and voter education in general and elections in particular.

Prison Reform Drama Group was engaged to promote the participation of socially excluded and different vulnerable social groups in the electoral process. The drama group visited 12 prisons country wide to mobilize and educate prisoners on the polling processes. The team also distributed party manifestos in all the prisons. People with disabilities, women, youth as well as men were targeted in CVE through community meetings, TV sign languages and CVE materials printed in Braille.

### **8.5 Achievements**

There were a number of achievements based on the strategies employed as evidenced by the following outcomes:

- a. A large turn out on registration. 7.4 million voters were registered against the MEC target of 8



One of the CVE posters that was produced and distributed million which was 93.25%.

This was an achievement as the number of registered voters had many first time registrants.

- b. The Commission maintained high voter turnout on polling. There was a voter turnout of 70.7 percent.
- c. There was a drop in null and void votes against valid votes cast from 2.54% in 2009 to 1.09 % in 2014 TPE and against a set target of below 3.5% in the CVE Strategy.

- d. There was an adherence to violence-free CVE messages resulting into violence free and issue-based campaign as stipulated by the Commission CVE Strategy.
- e. There was inclusivity in development of CVE materials to motivate the socially-vulnerable groups to take part in the electoral processes.

## 8.6 Challenges

The Commission faced a number of challenges in the implementation of CVE activities. Only 30 (27 percent) of the 112 accredited CSOs managed to source funding and carry out civic and voter education programmes. Of the few CSOs that were funded, the focus was mainly on issue-based civic education. Voter education and information was largely left to the MEC/NICE. This created a huge CVE gap. CCVEAs had challenges in mobility to reach out to remote areas.

## **CHAPTER 9 MEDIA AND PUBLIC RELATIONS**

### **9.1 Media and Public Relations**

#### **Objectives**

Communication between the Electoral Commission and stakeholders is key in creating transparency and instilling confidence and ownership in the electoral cycle. The Commission sought to ensure improved public image and awareness of its activities and events.

#### **9.2 Visit to Media Houses**

The Commission visited and held meetings with officials for 33 media houses, the Media Council of Malawi and Media Institute of Southern Africa (MISA) Malawi. The objectives of the meetings were to brief the media houses on the Commission's plan to work with this the various media. The Commission also wanted to establish the buy-in from the



MEC Commissioners Chingota and Chipphiko (1st and 2nd left) being briefed about Dzimwe Community Radio Station

media houses regarding the 2014 Tripartite Elections and to forge strong communication collaboration. (refer to Appendix 7 for the list of media houses visited).

The meetings motivated the media houses especially those outside the major cities to actively participate in election reporting. They were urged to come up with special bulletins for elections news and use stories from stringers and also use their generic programmes to send messages about elections.

Through the meetings the Commission also managed to get concrete feedback on the past performance of stringers and the relationship between the media houses and the Commission

The Commission also managed to motivate some media houses, which did not have plans for elections, to consider working with the Commission. A classical example was the Adventist Radio whose orientation at the time of visit was not to get involved in elections because they said elections are about politics.

### **9.3 Recruitment of Stringers**



One of the stringers receiving his certificate after training from former Commissioner Dr Bertha Simwaka

The Commission recruited 42 stringers in March 2013 who were deployed to all the councils to report on activities of the 2014 Tripartite Elections. This was also a way of supplementing the centralised media houses who cannot afford as many reporters as possible reach out the masses

### **9.4 Review of the Media Code of Conduct**

The Commission, in conjunction with the Media Council of Malawi and MISA Malawi, reviewed the Media Code of Conduct that was used in 2009 elections. The review focused on incorporating best practices in

the Southern Africa Development Community (SADC) region and specifically the SADC Guidelines on Reporting Elections which were adopted by all SADC countries in September 2012.

The review process also involved media houses' managers and a validation meeting was convened where media houses, political parties, civil society organizations



and government departments MEC Commissioners and electoral stakeholders show the media code of conduct after launch

participated. At end of the validation meeting, the participants signed a pledge to abide by the code of conduct.

The Commission printed the code of conduct into a booklet which was launched during a National Elections Consultative Forum (NECOF) meeting on August 30, 2013.

Considering the increasing role and influence of the online media in dissemination of information, the Commission also arranged with four online publishers namely; Nyasatimes, Malawi Voice, Media Corp and Maravi Post to sign for the Media Code of Conduct. This took

place alongside the training of journalists on October 2, 2013.

### **9.5 Training of Journalists**

The Commission organized two training workshops on reporting elections. One was based on the a Building Resources in Democracy, Governance and Elections (BRIDGE) module on media and elections which targeted media managers. The second workshop was based on curricula developed by the Commission and targeted reporters.

### **9.6 Awareness on Various Events and Activities**

The Commission made increased efforts towards ensuring awareness

on various activities and events at various stages of the electoral processes. This was done through Issuing of press releases circulated to stakeholders and published in newspapers; organizing media coverage of events; and organizing press conferences. Some of the activities that required publicizing included launch of tripartite elections, registration of voters, Nomination, Campaign, Voter Verification, Polling and Result Announcement.

### **9.7 Appointment of Official Broadcasters**

The Commission appointed Zodiak Broadcasting Station (ZBS) and Malawi Broadcasting Corporation Television (MBC TV) to be the official broadcasters for the tripartite election processes for radio and television respectively.

In choosing the official broadcasters, the Commission looked for institutions with national geographical

coverage and national listenership cutting across various social and religious interests.

The two stations were used by the Commission to cover live its important communications to the nation during the determination of results which included press briefings and in- studio interviews with Commissioners.

The official broadcasters were expected to observe and adhere to the Media Code of Conduct on Reporting Elections developed by the Malawi Electoral Commission and all existing electoral laws and regulations.

### **9.8 Conclusion**

The media performed well in disseminating and raising awareness of election activities to the masses during the tripartite elections. The approaches implemented by the Commission to ensure good partnership with the media proved to be effective.

## **CHAPTER 10 POLLING**

### **10.1 Background**

Presidential elections took place in all the 193 constituencies while parliamentary elections took place in 192 constituencies.

In one constituency, Commission meeting with DCs and CEOs to plan on polling

Blantyre North, elections were postponed due to death of a duly nominated candidate. For the Local Government race, elections took place in 458 wards. In five wards elections were postponed namely Zgeba ward in Karonga, Lifupa ward in Kasungu, Kandeu ward in Ntcheu and Lisanjala ward in Machinga all due to deaths of duly nominated candidates while in Mbalachanda ward elections were postponed due to wrong ballot papers.

### **10.2 Establishment of polling Stations**

The Commission established 4,445 polling stations in all registration



centres. Satellite polling stations were also established in all prisons to afford eligible prisoners the opportunity to vote. Polling Stations with more than 800 voters were divided into streams with a maximum of 800 voters each. There were 11,626 polling streams established across the country. Each polling stream was headed by a Presiding Officer / Assistant Presiding Officer.

### **10.3 Distribution of Non sensitive Polling Materials**

The distribution of non-sensitive polling materials such as generators, gas lamps, ballot booths and tents

from Blantyre main warehouse to councils started on 5<sup>th</sup> May, 2014. The MEC borrowed 9,500 gas lamps from Zimbabwe Electoral Commission (ZEC) and these were not adequate to cover all streams in the country. The MEC, therefore, bought additional 2,500 gas lamps from GENEX Export-South Africa to cover for the shortfall.

The Commission also made available in polling stations original registration field data capture forms (Part A) for reference during polling in the event that voters would not be found in the electronic voter register.

#### **10.4 Printing and Distribution of Ballot Papers**

Ballot paper

templates were designed and the process of printing ballot papers started with inviting tenders from local and

international printing companies. Tender bids were handled by the UNDP who funded the printing of ballot papers. Tenders were opened in Copenhagen. Upon completion of reviewing the tender bids, a printing company in the Republic of South Africa known as RENFORM Printing House was selected and awarded the tender.

The Commission and the UNDP visited the printing house to sign off the ballot paper templates as well as to oversee the printing and packaging. The Centre for Multiparty



Democracy (CMD) on behalf of political parties sent a representative to monitor the printing process.

Ballot papers were delivered to Malawi on 10<sup>th</sup> and 11<sup>th</sup> May, 2014 through Kamuzu International Airport in Lilongwe. The ballot papers were packaged according to region /district. Air Cargo Limited was identified as suitable company to provide a warehouse for storing ballot papers upon arrival. Ballot papers were dispatched to councils on 16<sup>th</sup> May, 2014. At the councils they were separated according to constituencies and handed over to CROs for onward dispatch to Presiding Officers in polling stations on 17 and 18 May, 2014. Political parties and local monitors were given the opportunity to monitor the distribution process.

The Commission also printed some ballots locally for the elections in centres where voting was disrupted on 20<sup>th</sup> May, 2014.

## **10.5 Recruitment and Training of Election Officials**

The process started with the engagement of 200 Constituency Returning Officers from among Primary Education Advisers (PEAs). After training, each CRO was assigned a constituency and took responsibilities for all electoral activities in the constituency.

This was followed by recruitment of Presiding and Assistant Presiding Officers and polling officials who were mostly teachers except in areas where polling stations were not located in schools. A total of 4,445 Presiding Officers were recruited to manage the polling stations.



MEC Commissioners, staff and CROs after opening of orientation training in Balaka

A total of 89,565 poll workers and security personnel were deployed at the 4,445 polling stations to operate 11,626 polling streams.

The Commission suspended all presiding officers who had been initially recruited for Phalombe Central Constituency to preserve the integrity of the electoral process. This was done following investigations which proved that the presiding officers in question had received gifts in form of bicycles, mosquito nets, boxes of chalk and MK5,000 from one of the contesting candidates in the constituency. Since these presiding officers were head teachers, were replaced with their deputies.

Presiding and Assistant Presiding Officers together with the rest of poll staff were trained by CROs before 20<sup>th</sup> May, 2014.

### **10.6 Security Arrangements**

The Malawi Police Service and the Malawi Defence Force provided security during storage and transportation of all polling materials. Multiparty Liaison Committees

(MPLCs) were also vigilant in ensuring safety of the polling materials.

Police Officers were deployed, two at each polling station, with an additional Police Officer per additional polling stream to provide security .

### **10.7 Accreditation of Political Party, Candidates and CSO Representatives**

In terms of Section 72 (1) of PPEA, political parties and independent candidates had the opportunity to appoint two persons per polling stream. The Commission advised all political parties and independent candidates to submit the names of monitors to the respective councils. The Commission also accredited representatives of various CSOs to monitor the polling process.

A handbook containing rights and duties of agents to guide them in the monitoring of the electoral processes at polling stations was produced and distributed. Party/candidate agents were encouraged to attend the training of polling staff to familiarize

themselves with the voting and counting procedures.

### **10.8 Challenges**

A number of challenges were experienced during the distribution of ballots and election materials. These included misallocation of polling materials in some polling stations such as indelible ink, seals, ballot boxes and results forms. There was also inadequate transport for distribution of materials. The Commission had planned for 1,900

vehicles, however, only 1,360 vehicles were available for polls.

### **10.9 Conclusion**

The polling exercise for the 2014 Tripartite Elections faced a number of challenges ranging from inadequate transport to misallocation of some polling materials. Despite these challenges, polling took place in all the polling stations for presidential elections while in Blantyre North and other five wards the exercise was postponed.

## **CHAPTER 11 VOTING PROCESS AND RESULTS MANAGEMENT**

### **11.1 Organization of Polling Stations**



A banner indicating a polling station

The Commission established polling stations in all Registration Centres. Seven officials were designated to manage each polling stream of up to 800 voters and consisted of:

- a) Presiding Officer/Assistant Presiding Officer
- b) Identification Clerk,
- c) Inking Clerk,
- d) Local Government Elections Ballot Paper Issuer
- e) Parliamentary Elections Ballot Paper Issuer,
- f) Presidential Elections Ballot Paper Issuer
- g) Usher/Usherette

Each polling station was headed by a Presiding Officer assisted by an

Assistant Presiding Officer for each extra stream. Further, polling stations with very large numbers of registered voters were structured into “streams”, each to service a maximum of 800 registered voters. The voters were clustered into streams in accordance with the alphabetical order of surnames. This arrangement guided the Commission's focus on order and expedite the voting process. Two political party representatives and two representatives of each independent candidate monitored the operations at each polling station/stream. Local and International Observers were also present at polling stations.

### **11.2 Voting**

Voting started at 6.00 am and ended at 6.00 pm. The order of voting started with Local Government, Parliamentary and Presidential elections respectively. Extensions of voting time were allowed at some stations which

opened late. Polling occurred in 4,399 polling stations representing 99% across the country on 20<sup>th</sup> May, 2014. Voting in remaining 46 polling stations, where there were some challenges, took place in the following two days concluding on 22<sup>nd</sup> May, 2014 (see appendix 8 for these polling stations). The challenges ranged from misallocated polling materials, late delivery of materials and subsequent overreaction by voters leading to destruction of polling materials including ballot papers.

The Commission printed ballot papers locally for polling stations where voting was disrupted and ballot papers destroyed. Voters that had already voted earlier had to dip their left index finger in the indelible ink instead of the right index finger as a remedy to allow them retake the poll.

### **11.3 Special Needs Voting**

The Commission trained polling staff on how to assist people living with disabilities in voting in accordance with the provisions of the electoral

law. Further, provisions were made for the visually impaired to vote independently and in secret through tactile ballot guides which had been produced together with ballot papers. Polling staff were also advised to give priority to the elderly, the sick and expectant mothers.

### **11.4 Counting of Votes**

Counting of ballots at each polling stream started immediately after close of voting. Counting and recording of votes was undertaken in stages following elaborate procedures established by the Commission. These procedures relate to the emptying of the ballot box, exhibition of the box after emptying, counting of each ballot, checking against original ballot paper quantity and reconciliation of the totals. Votes were consolidated at the polling station level in the presence of the poll staff, monitors from each of the streams as well as international and local observers.

### 11.5 Some of the Major Incidences during Polling

a. Catholic Institute Centre in Blantyre – Stakeholders reacted to the inconsistencies in ballot box stickers in that some boxes had pre-printed stickers on them while other boxes had to be marked using magic markers. Voters insisted that they could not vote under the circumstances and polling turned chaotic. Eventually voting proceeded after discussions involving civil society stakeholders present at the centre. This delayed polling at the centre.

b. Some polling stations had plastic pull-through seals without serial numbers and stakeholders reacted to this situation in a number of centres. Centres affected included Chimwankhunda, Kapeni Demonstration School, Naotcha, and Ndirande Makata in

Blantyre District.

c. At Blantyre Girls polling station in Blantyre, voters reacted angrily upon noting that the ballot boxes for Local Government Elections appeared older than the other boxes. The Commission used a mixture of ballot boxes from 2009 Elections and new ballot boxes procured for 2014 elections. Because of this mixture, voters disrupted the polling thereby delaying voting for a day.

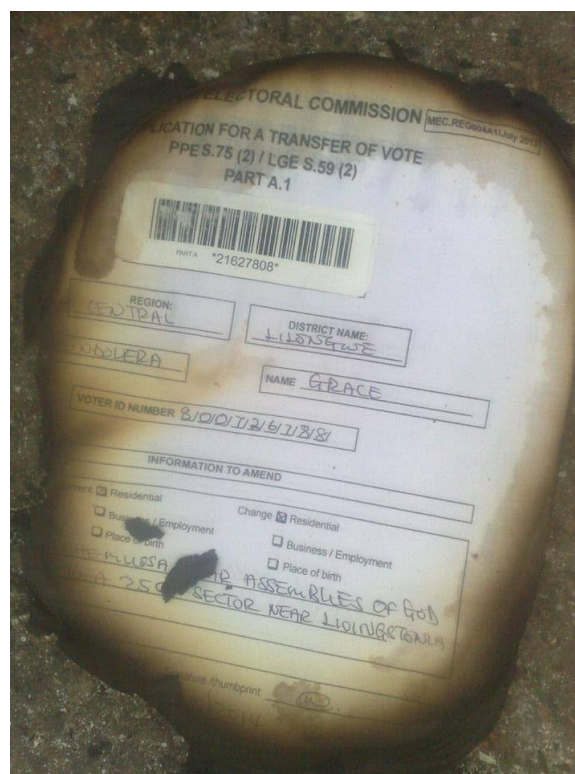
d. At Nkolokoti polling station in Blantyre voters reacted because of some blank envelopes in the ballot boxes before start of polling exercise



Angry people burn electoral material

and assumed that there were results' envelopes with filled forms inside. In fact the envelopes were empty and were meant to be used for results packaging after counting. Voting was disrupted as a result.

- e. In Lilongwe District two polling stations; namely House of Hope and Msambachikho, had no parliamentary ballot papers available for polling. Voters refused to proceed to vote only for presidential and local government elections. They further declined the arrangement to source ballot papers from other centres within the constituency. election materials including ballot papers were burnt in the fracas. The Commission locally printed new ballot papers for the affected polling stations. However, the first lot sent the following day was incorrect. Eventually new ballot papers were printed again and voting



A vote transfer form during electoral disturbance

eventually took place at the centres on 22 May, 2014.

## 11.6 Postponed Elections

Elections were postponed in one constituency and five wards as explained in Chapter 10 of this report. The Commission conducted by-elections in all the affected areas on 7<sup>th</sup> October, 2014 to complete the tripartite elections.

All procedures and processes replicated the main tripartite elections. The Commission prepared and presented a budget to the

Ministry of Finance and after discussion and also taking into account resource constraints, MK685.7 million was released for the re-poll.

The national launch took place on 22<sup>nd</sup> August, 2014 whereby the Chairperson of the Malawi Electoral Commission gave out an address through radio and television followed by decentralized launches in the two constituencies and five wards on the 25<sup>th</sup> August 2014.

The Commission appointed District Commissioners of the respective councils as District Elections Coordinators and also appointed seven CROs for each of the seven by-electoral areas after competitive interviews.

The Commission recruited and provided training to registration

supervisors, QCMs, COPs and registration clerks to conduct the registration exercise. The Registration supervisors were recruited through competitive interviews while the QCMs and COPs were selected from among those who performed well during the 2014 Tripartite Elections. The registration clerks were recruited through the DEST. The Commission also conducted briefing sessions for DEST members from 25<sup>th</sup> to 26<sup>th</sup> August, 2014 on the update of the voters' register and nomination processes for by-elections.

The Commission opened all centres in the two constituencies and five



Commissioner Billiat (in suit) with MEC staff who were trained as trainers of trainers for the by-elections polling staff

wards from 4 to 8 September 2014 in order to offer the opportunity to register for those who attained the age of 18 between 20<sup>th</sup> May, and 7<sup>th</sup> October, 2014. Those who were already registered were supposed to inspect their details in the voters' register. A total of 2,273 people registered for the first time in all the seven areas. No transfers were allowed. This brought the total number of voters to 177,843 in the two constituencies and five wards. The breakdown of registration figures according to each by electoral area is on Appendix 9:

The Commission allowed new aspiring candidates to collect nomination papers.

Those who had already been duly nominated in the postponed elections were requested to affirm in writing their interest to stand in writing. In Thyolo East, all the candidates were asked to collect nomination papers regardless of whether they contested on 20<sup>th</sup> May, 2014 or not. The nomination papers were received on 9 September, 2014 and in total there were 40 candidates of which only three were females. The details of nominated candidates are reflected in Appendix 10.

The Commission deployed seven stringers to each of the by elections areas and they gave media coverage to all contesting parties and candidates.

Malawi  
Communications  
Regulatory  
Authority (MACRA)  
provided support  
to the Commission  
to train the



Commissioner Tembo (in red) opening a media training for stringers and reporters supported by MACRA

from Malawi News Agency and ZBS from the by-electoral areas on “Elections reporting” on 24<sup>th</sup> September, 2014.



Commissioner Tembo with MEC and MACRA officials and participants to the media training for stringers and reporters

In addition radio messages (jingles), hosting of radio and television programmes on elections, press statements, radio adverts, letters to stakeholders, posters and brochures, loudhailer vehicles and teams and a series of voter education meetings with chiefs and other local leaders were used to raise awareness and to encourage eligible voters to participate actively in the various processes during the by-elections. CCVEAs who worked during the tripartite elections were re-engaged to work in the by-election areas.

Ballot papers and results sheets were printed in South Africa by the same firm which printed ballot papers for the tripartite elections with funds from the elections basket fund

coordinated by the UNDP. This was after carrying out a cost benefit analysis of printing outside the country against printing in-house or using a local printing firm. These materials arrived on 1<sup>st</sup> October 2014, and were kept at MEC main warehouse in Blantyre from where they were distributed to councils on 4<sup>th</sup> October, 2014.



A cargo plane that brought ballot papers for by-elections

Presiding Officers were recruited following competitive interviews.

Assistant Presiding Officers, polling clerks were also recruited. All poll staff received adequate training for the exercise.

Voting in the by-elections took place on 7<sup>th</sup> October, 2014 from 6am to 6pm in all

polling stations. Counting took place in all polling stations soon after the close of polling. The polling station's tallied results were delivered by the Presiding Officers to Constituency Returning Officers located at Constituency Tally centres right in the respective constituencies.

The results were electronically transmitted to the National Tally Centre which was set up at the MEC headquarters in Blantyre. There was low voter turn-out during the by-elections consistent with past trends.

The summary of voter turnout is illustrated in Table 5 below:

**Table 5 - Summary on Voter Turnout & Null and Void Votes**

| No | Constituency/Ward | % Voter Turn Out | % Null and Void |
|----|-------------------|------------------|-----------------|
| 1  | Zgeba             | 40.87            | 0.97            |
| 2  | Mbalachanda       | 29.12            | 0.74            |
| 3  | Lifupa            | 17.47            | 1.09            |
| 4  | Kandeu            | 12.12            | 1.01            |
| 5  | Lisanjala         | 31.33            | 1.14            |
| 6  | Blantyre North    | 37.18            | 1.76            |
| 7  | Thyolo East       | 14.92            | 0.93            |
|    | <b>Average</b>    | <b>26.14</b>     | <b>1.09</b>     |

There were no official complaints lodged and the Commission declared the by-elections free, fair and credible. The winners in each by electoral area were as follows:

- **Zgeba Ward, Karonga Nyungwe Constituency**

Ganyavu Ngwira, Democratic Progressive Party

- **Mbalachanda Ward, Mzimba Central Constituency,**

Moses M.J. Kamanga, Democratic Progressive Party

- **Lifupa ward, Kasungu West Constituency**



MEC Chairman leading commissioners in announcing the 2014 by-elections results

vehicles were not reliable and had exceeded their serviceable life, therefore, high on fuel consumption.

All in all the by elections were conducted in a

peaceful environment.

Jairos K. Bonongwe, Independent

- **Kandeu Ward, Ntcheu North East Constituency**

Harold Jonnes Liwonde, Malawi Congress Party

- **Lisanjala Ward, Machinga Likwenu Constituency**

David F.C. Chitedze, Independent

- **Blantyre North Constituency**

Francis Lucky Phiso, Democratic Progressive Party

- **Thyolo East Constituency**

Gerson Timothy Solomon, Democratic Progressive Party.

The main challenge was late availability of required vehicles that were availed late. Some of the

## 11.7 Verification and announcement of results

After counting, the Presiding Officer or his / her Assistant prepared and signed the results sheet which was then countersigned by the monitors. A copy of the signed results sheet was given to each monitor and another copy was pasted at the polling station for public information. The polling station was thus the first point at which the results were displayed and announced for public information.

## 11.8 Constituency Tally Centre

The Presiding Officer then delivered the polling station results to the Constituency Returning Officer

(CRO) who was stationed at the council headquarters.

During the delivery of the polling station results, party agents were allowed to escort

the Presiding Officer using their own means of transport.

The CRO in turn submitted the results to the data entry clerk for onward transmission to National Tally Center at the Chichiri International Conference Centre Hall in Blantyre. Alternatively, the results sheets were faxed to the National Tally Center. The CRO was also responsible for compiling Constituency and Ward results and announcement. The CRO also gave a copy of the counter-signed constituency and Ward results sheet to each party representative, pasted another copy at the constituency tally centre for public information and finally announced the constituency results.



The MEC national tally centre at Chichiri International Conference Centre Hall in Blantyre

### **11.9 National Tally Centre (NTC)**

The National Tally Centre was established at Chichiri International Conference Centre Hall to provide a central venue with adequate communication infrastructure, where the Commission would receive the results from the Constituency Returning Officers located at the council headquarters. The Commission's strategic objective was to keep the nation fully and quickly informed with accurate results on a continuous basis. Determination of the national results for the tripartite election by the Commission also took place at the National Tally Centre.

The results were being displayed on a continuous basis as they were being received and determined by the Commission. In addition, all media houses were provided with facilities to establish broadcasting studios at the centre. Enough space was provided to all representatives of political parties and independent

candidates, international and local observers and members of the diplomatic corps.

Zodiak Broadcasting Station (ZBS) and MBC TV, official broadcasters during the election, announced the results from the polling stations up to the national level.

### 11.10 Determination and announcement of results

On 30<sup>th</sup> May, 2014 the Commission announced Presidential results as per the table 6 below.

**Table 6: Results of the 2014 Presidential Election**

| <b>Serial No.</b> | <b>Name of Candidate</b>      | <b>Affiliation</b> | <b>Voters Polled</b> | <b>Individual %</b> |
|-------------------|-------------------------------|--------------------|----------------------|---------------------|
| 1                 | Dr. Joyce Hilda Banda         | PP                 | 1,056,236            | 20.20               |
| 2                 | Dr. Lazarus McCarthy Chakwera | MCP                | 1,455,880            | 27.80               |
| 3                 | Kamuzu Walter Chibambo        | PETRA              | 19,360               | 0.40                |
| 4                 | Prof. John Chisi              | UP                 | 12,048               | 0.20                |
| 5                 | Friday Anderson Jumbe         | NLP                | 8,819                | 0.20                |
| 6                 | Aaron Davis Chester Katsonga  | CCP                | 7,454                | 0.10                |
| 7                 | Mark Katsonga Phiri           | PPM                | 15,830               | 0.30                |
| 8                 | Atupele Muluzi                | UDF                | 717,224              | 13.70               |
| 9                 | Prof. Peter Mutharika         | DPP                | 1,904,399            | 36.40               |
| 10                | George Nnesa                  | MAFUNDE            | 11,042               | 0.20                |
| 11                | James Mbowe Nyondo            | NASAF              | 10,623               | 0.20                |
| 12                | Abusa Helen Singh             | UIP                | 9,668                | 0.20                |

Notes: Total registered voters- 7,470,806:

Total Valid votes – 5,228,583:

Null and Void – 56,695:

Total Votes Cast- 5,285,278:

Percentage of Valid Votes against Registered Voters – 69.99%

Percentage of null and Void Against Total Votes cast – 1.07%

Percentage Voter Turnout 70.7%

On 2<sup>nd</sup> June, 2014 the Commission announced Local Government and Parliamentary elections results as per the table below.

**Table 7: Results of the 2014 Parliamentary Elections – elected members of the National Assembly by sponsoring party and gender.**

| Serial No.   | Sponsor                      | Gender     |           | Total      |
|--------------|------------------------------|------------|-----------|------------|
|              |                              | Male       | Female    |            |
| 1            | Independents                 | 40         | 12        | 52         |
| 2            | Democratic Progressive Party | 43         | 7         | 50         |
| 3            | Malawi Congress Party        | 43         | 5         | 48         |
| 4            | Peoples Party                | 22         | 4         | 26         |
| 5            | United Democratic Front      | 12         | 2         | 14         |
| 6            | Chipani Cha Pfuko            | 1          | 0         | 1          |
| 7            | Alliance For Democracy       | 1          | 0         | 1          |
| <b>Total</b> |                              | <b>161</b> | <b>30</b> | <b>192</b> |

**Table 8: Results of the 2014 Local Government Elections –by sponsorship and gender.**

| Serial No.   | Sponsor                      | Gender     |           | Total      |
|--------------|------------------------------|------------|-----------|------------|
|              |                              | Male       | Female    |            |
| 1            | Independents                 | 32         | 3         | <b>35</b>  |
| 2            | Democratic Progressive Party | 145        | 20        | <b>165</b> |
| 3            | Malawi Congress Party        | 113        | 18        | <b>131</b> |
| 4            | Peoples Party                | 60         | 5         | <b>65</b>  |
| 5            | United Democratic Front      | 51         | 6         | <b>57</b>  |
| 6            | Chipani Cha Pfuko            | 2          | 0         | <b>2</b>   |
| 7            | Alliance For Democracy       | 0          | 1         | <b>1</b>   |
| 8            | NASAF                        | 1          | 0         | <b>1</b>   |
| <b>Total</b> |                              | <b>409</b> | <b>53</b> | <b>462</b> |

### **11.11 Challenges**

The major challenges during voting and results management were mainly pertaining to Results Management System.

It was observed that a good number of presiding officers had problems with arithmetic and there were cases of erasures and in some cases tipex was used which was not standard supply. It was not easy to establish authenticity especially where there were erasures or overwritten figures. This delayed the process as MEC had to rectify the anomalies and establish the authentic figures.

In some councils, the results sheets were only distributed to polling staff as instructed. The results sheets were polling station specific and in some cases only one was sent and in other cases results sheets for a wrong polling station were sent.

The Results Management System did not perform as efficiently as

expected which resulted in incoherent processing of results at polling station level. This led the Commission to resort to advising the CROs to physically bring the original results sheets to the National Tally Centre.

The process of determination and announcement of results also faced challenges with respect to court injunctions and interference by the executive arm of government. Bad weather and shortage of vehicles provided some challenges which resulted in some areas opening late or the following day.

### **11.12 Conclusion**

However, the Commission managed the situation and provided an opportunity for all voters to exercise their challenge. Although there were some challenges with transmission of results, the Commission managed to announce the winner within the statutory period as provided in the law.

## **CHAPTER 12 COLLABORATION WITH STAKEHOLDERS**

### **12.1 Interface with Stakeholders**

#### **i. National Elections Consultative Forum (NECOF)**



Participants to a NECOF meeting held at Hotel Victoria in Blantyre

The Commission resuscitated NECOF as a platform for consulting and sharing information with stakeholders. From the launch of the elections to polling, six NECOF meetings were held.

Participants to the NECOF were 22 political parties whose contacts could be traced at the time. After nomination of presidential candidates, the attendance by

political parties was revised to include only political parties that contested for the presidency. Also

attending the NECOF were umbrella bodies of civil society organizations, representatives of relevant government departments,

the donor community, diplomatic missions, the academia, traditional leaders and religious leaders.

#### **ii. Multiparty Liaison Committee (MPLC)**

The Commission also interacted with stakeholders at council level through Multiparty Liaison Committee (MPLC). For composition of MPLC refer to Appendix 11)

Apart from this collaborating role with the Commission, MPLCs continued to perform their mandate of managing electoral-related conflicts at council level. Ad hoc meetings were convened to resolve



various concerns and Presidential candidates attend prayers for peaceful elections issues that came up throughout the electoral process. The MPLC contributed towards building confidence amongst players in the electoral process through their involvement in the launch, witnessing and verifying receipt of polling materials especially ballot papers and processing of results at council

tally centres.

### **iii. Other special Interface Initiatives With Stakeholders**

The Commission organized a violence-free rally at Goliati Primary School in Thyolo following an incident of violence just before the launch of campaign period that led to the loss of two lives at the centre. The Commission encouraged peaceful conduct of the electoral campaign. A mock polling exercise was also organized during the meeting to teach people on the polling process.



Commissioner Chinkwita-Phiri addressing the meeting at Goliati, Thyolo

## **CHAPTER 13 INTERNATIONAL AND LOCAL OBSERVERS.**

### **13.1 Accreditation of Observers**

The Commission invited local and international institutions to come and observe the May 2014 elections. The Commission also advertised in the press in March calling on all local and international organizations resident in the countries who were interested to observe the elections to apply.

The Commission accredited all the short and long term international and local observers for the Tripartite Elections. The commission waived the accreditation fee payable by international observers and also negotiated with the government to waive visa fees to encourage their participation. The Commission also engaged a former MEC Commissioner, Ambassador Ron Nkomba to be the liaison point with observer missions.

The Commission prepared an observers' information pack which contained all codes of conduct published by the Commission, lists of

all candidates, list of district tally centers, annual report, list of streams, list of accredited institutions, distance sheet and electoral laws among other documents. The information pack was posted on the website.

### **13.2 International Observers**



The duration of international observers varied from one observer team to another. Long term observers stayed for much longer periods and observed most of the electoral processes.

Amongst the international observers that observed the tripartite elections were the African Union, the European Union, The Commonwealth, ECF SADC, SADC PF and SADC.

### 13.3 Local Observers

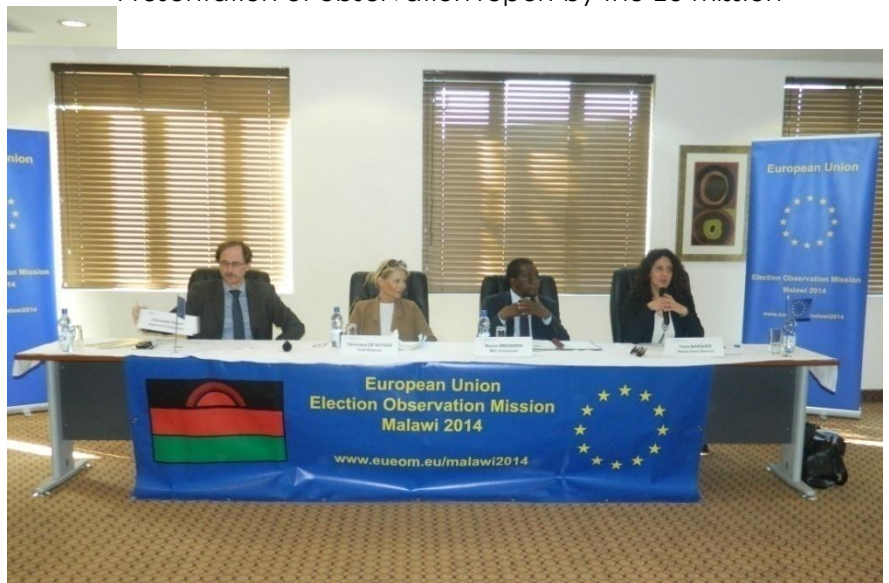
The local observers observed most of the events in the cycle from the registration process to the stages of polling and determination of results. NICE and MESN were the largest local observer groups that were able to observe more activities by being present at most registration centres and polling stations.

### 13.4 Recommendations of International and Local Observers

In conformity with the PPEA Section 102.2, international observers presented their reports to

the Commission. The reports identified challenges faced during the electoral process and offered recommendations for future electoral operations. These recommendations have formed part of the recommendations in this

Presentation of observation report by the EU mission



report.

## **CHAPTER 14 COMPLAINTS AND APPEALS**

### **14.1 Complaints**

The Commission set up a Complaints Handling Unit (CHU) with funding from the UNDP managed basket fund to efficiently handle electoral complaints. The CHU was situated within MEC head quarters in Blantyre and composed of four lawyers (three local and one international).

By 29<sup>th</sup> May, 2014 the Commission had processed two-hundred and forty-eight (248) complaints of which 216 were resolved and it sought further evidence for 26 cases. In six cases there was incomplete information provided by complainants.

In total 343 complaints were received across the Presidential, Parliamentary and Local Government elections. Of these, all presidential complaints had been processed and responded to by the Commission at the time of announcement of the determination of the results for Presidential Election on 30<sup>th</sup> May, 2014. Complainants

who were not satisfied with Commission's decisions were encouraged to appeal to the High Court.

The Commission continuously met with stakeholders including the Malawi Human Rights Commission and delegations from political parties at the national tally centre to review some concerns. The better part of the discussions proved to be productive in clarifying issues and maintaining constructive form of communication.

The complaints generally raised concerns about the polling process, party monitors not being allowed at the polling station, demands for a vote recount, and determination process of the winner.

### **14.2 Petitions and Appeals**

During the nomination process there were a number of appeals to the High Court regarding Commission decisions on eligibility of some contesting candidates. There were also a few appeals on the MEC

determination of results in some constituencies. However, there were no appeals with regard to the presidential election.

Some of the petitions documented in relation to the elections were as follows:

- 1) Enoch Zimba – Nkhotakota North – PP;
- 2) Jefred Mchali - Lilongwe Mpenu Nkhoma- Independent;
- 3) Yunus Mussa – Zomba City/Central – DPP;
- 4) Ulemu Msungama– Lilongwe City South East- MCP;
- 5) John Zingale – Chikwawa West- PP;
- 6) Yeremiah Chihana – Mzimba North- NARC ;
- 7) Loveness Gondwe – Mzimba West – NARC

During results announcement there were several court injunctions. One of the injunctions concerned demands of a vote recount based on claims that the tabulation process was fraught with irregularities. These contestations led to three court

injunctions obtained by various parties. Two of the injunctions were granted to the DPP and Labour Party in Blantyre by the High Court and they sought to compel the MEC to proceed with the vote tallying process and announcement of elections results before considering any demands for a physical verification of the results by recounting of the votes. A counter injunction was granted to MCP to set aside the first injunction sought by the DPP. However, an injunction obtained by the other party was still in force and this led to contempt of court proceedings against the Commission when it announced a resolution to recount the votes before announcement of the results.

Following the court order for contempt of court proceedings against MEC, the various parties were advised by the court to consolidate all electoral cases into one. There were issues that were presented for determination by the court;

- On the validity of the injunction obtained by NLP leader, Mr Friday Jumbe, restraining MEC from conducting a recount, the court ruled that the injunction was wrongly obtained and it was set aside.
- As to the powers of MEC to order a recount, the court decided that MEC had the power to do all that is required to arrive at a free and fair result of the election, which includes a recount of the ballots; and
- Whether MEC could postpone the announcement of results beyond the statutory eight

days period, the court ruled that the period of eight days could not be extended. At the same time, the court observed that the eight days ought to be reviewed as it could lead to injustice.

Following the ruling the Commission proceeded with the announcement of the presidential election results.

At the time of writing the report, of the 26 court cases, 11 had either been withdrawn, dismissed or judgement passed while the rest were still being handled by the courts (see appendix 12 for list of cases).

## **CHAPTER 15 RECOMMENDATIONS**

The following recommendations are put forward based on the lessons learnt in the conduct of the tripartite elections and also contributions from various observer reports

### **15.1 Electoral laws**

There is need to conduct and conclude review of electoral laws preferably within a year after the conclusion of an election.

### **15.2 Budgeting**

Funding for elections should follow the electoral cycle approach as prepared by the Commission. This will enhance long term planning and implementation of electoral activities including timely identification of resources and procurement of electoral materials.

Consultations with Government should be ongoing to commit to funding elections adequately and in accordance with agreed timelines.

### **15.3 Demarcation**

There is need to review the electoral

law on determination of number of wards.

There should be review of ward and constituency boundaries in good time not less than three years before conduct of elections. This would allay fears of political interference and provide adequate time for sensitization of new boundaries.

### **15.4 Registration of Voters**

There is need to migrate to a new biometric voter registration system with electronic field data capture. There is need for continuous registration.

### **15.5 Computerization of the voters' register**

There is need to increase the capacity of ICT infrastructure and personnel at the Commission

### **15.6 Campaign**

There should be legal reforms that will check abuses of state resources during campaign.

### **15.7 Results Management**

It is recommended that the Commission should invest in the improvement of results management.

### **15.8 Civic and Voter Education**

Review CVE strategy to include in-between ballot activities. The CVE Manual should be reviewed to cover all modules on electoral processes.

### **15.9 Election observation**

It should be a requirement for observers to submit their observation reports to the Commission. The reports offer the Commission an opportunity to get important



MEC CEO, Willie Kalonga (left) hands over a television camera to MBC Director General, Dr Benson Tembo

recommendations for improvement of future electoral processes.

### **15.10 Media coverage**

There is need for strict enforcement of the Communications Act to ensure the public broadcaster treat all candidates and political parties fairly and equally.

## **CHAPTER 16 CONCLUSION**

The 2014 tripartite elections were a significant step in the sustenance of democracy in Malawi as they marked the return of local governance structures after over a decade. The combination of three elections presented an enormous task for the Malawi Electoral

Commission. The challenges faced in the conduct of the elections are very important lessons for the conduct of future elections.

The recommendations contained in this report and other observer reports will be reviewed and form part of the planning for future elections.

## **APPENDICES**

### **Appendix 1- Management Petitions and Appeals    Petitions and Appeals**

| <b>NAME</b>          | <b>DESIGNATION</b>                                        |
|----------------------|-----------------------------------------------------------|
| Willie Kalonga       | Chief Elections Officer                                   |
| Harris S. B. Potani  | Deputy Chief Elections Officer (Operations)               |
| Lellie B. Longwe     | Deputy Chief Elections Officer (Finance & Administration) |
| Henzily Munkhondya   | Director of Electoral Services                            |
| Muhabi Chisi         | Director of Information, Communication and Technology     |
| Khumbo Phiri         | Director of Finance                                       |
| George A.K. Khaki    | Director of Administration and Human Resources            |
| Thandie Nkovole      | Director of Civic & Voter Education                       |
| Sangwani Mwafulirwa  | Director of Media & Public Relations                      |
| Geoffrey Mbawala     | Director of Internal Audit                                |
| Wellington Katantha  | Deputy Director Electoral Services                        |
| Gellien Tembo        | Regional Elections Officer (South)                        |
| Tennyson Singini     | Acting Regional Elections Officer (Centre)                |
| Deverson Makwete     | Regional Elections Officer (North)                        |
| Edington Chilapondwa | Procurement Manager                                       |

## **Appendix 2- Political Parties that contested in the tripartite elections**

1. Alliance for Democracy (AFORD)
2. Democratic Progressive Party (DPP)
3. Malawi Congress Party (MCP)
4. Malawi Forum for Unity and Development (MAFUNDE)
5. United Independence Party (UIP)
6. New Labour Party (NLP)
7. Peoples Progressive Movement (PPM)
8. Peoples Party(PP)
9. Chipani cha Pfuko (CCP)
10. National Salvation Front (NASAF)
11. Peoples Transformation Party (PETRA)
12. United Democratic Front (UDF)
13. New Rainbow Coalition (NARC)
14. Umodzi Party (Umodzi)
15. Congress for National Unity (CONU)
16. Peoples Democratic Movement (PDM)
17. Malawi Peoples Party (MPP) and
18. Nthanda Congress Party (NCP)

## Appendix 3- Voter registrations phases

| 2014 TRIPARTITE ELECTIONS REGISTRATION OF VOTERS PHASES SUMMARY - BY COUNCIL |                           |                                 |                               |                  |                         |                   |                       |                      |                      |                     |                      |
|------------------------------------------------------------------------------|---------------------------|---------------------------------|-------------------------------|------------------|-------------------------|-------------------|-----------------------|----------------------|----------------------|---------------------|----------------------|
| COUNCIL                                                                      | Current Number of Centres | Total Number of Teams per phase | REGISTRATION PHASES AND TEAMS |                  |                         |                   |                       |                      |                      |                     |                      |
|                                                                              |                           |                                 | VRP1                          | VRP2             | VRP3                    | VRP4              | VRP5                  | VRP6                 | VRP7                 | VRP8                | VRP9                 |
|                                                                              |                           |                                 | 22 July - 4 August 2013       | 8-21 August 2013 | 25 August - 7 Sept 2013 | 11 - 24 Sept 2013 | 28 Sept - 11 Oct 2013 | 15 - 28 October 2013 | 1 - 14 November 2013 | 18 Nov - 1 Dec 2013 | 5 - 18 December 2013 |
| CHITIPA                                                                      | 144                       | 148                             |                               |                  |                         |                   |                       | 148                  |                      |                     |                      |
| KARONGA                                                                      | 116                       | 134                             |                               |                  |                         |                   |                       |                      |                      | 134                 |                      |
| RUMPHI                                                                       | 87                        | 99                              |                               |                  |                         |                   |                       |                      |                      | 99                  |                      |
| NIKHATABAY                                                                   | 113                       | 125                             |                               |                  |                         |                   |                       |                      | 125                  |                     |                      |
| LIKOMA                                                                       | 7                         | 7                               |                               |                  |                         |                   |                       |                      | 7                    |                     |                      |
| MZUZU CITY                                                                   | 37                        | 58                              |                               |                  |                         |                   |                       |                      |                      |                     | 58                   |
| MZIMBA                                                                       | 444                       | 467                             |                               |                  |                         |                   |                       |                      | 28                   | 439                 |                      |
| KASUNGU DISTRICT                                                             | 219                       | 260                             |                               |                  |                         |                   |                       |                      |                      |                     | 260                  |
| KASUNGU MUNISPARTITY                                                         | 12                        | 19                              |                               |                  |                         |                   |                       |                      |                      |                     | 19                   |
| NIKHOTAKOTA                                                                  | 135                       | 157                             |                               |                  |                         |                   |                       |                      |                      |                     | 157                  |
| NTCHISI                                                                      | 116                       | 126                             |                               |                  |                         |                   |                       |                      |                      | 126                 |                      |
| DOWA                                                                         | 187                       | 245                             |                               |                  |                         |                   |                       | 245                  |                      |                     |                      |
| SALIMA                                                                       | 115                       | 144                             |                               |                  |                         |                   |                       |                      |                      |                     | 144                  |
| MCHINI                                                                       | 135                       | 200                             |                               |                  |                         |                   |                       | 65                   | 135                  |                     |                      |
| LILONGWE DISTRICT                                                            | 436                       | 510                             |                               |                  |                         |                   |                       |                      | 510                  |                     |                      |
| LILONGWE CITY                                                                | 103                       | 217                             |                               |                  |                         |                   |                       | 217                  |                      |                     |                      |
| DEDZA                                                                        | 228                       | 270                             |                               |                  |                         |                   | 129                   | 141                  |                      |                     |                      |
| NTCHEU                                                                       | 158                       | 200                             |                               |                  |                         |                   | 200                   |                      |                      |                     |                      |
| MANGOCHI DISTRICT                                                            | 230                       | 324                             |                               |                  |                         |                   | 324                   |                      |                      |                     |                      |
| MANGOCHI MUNICIPAL COUNCIL                                                   | 10                        | 16                              |                               |                  |                         |                   | 16                    |                      |                      |                     |                      |
| BALAKA                                                                       | 129                       | 154                             |                               |                  |                         | 154               |                       |                      |                      |                     |                      |
| MACHINGA                                                                     | 166                       | 211                             |                               |                  |                         | 211               |                       |                      |                      |                     |                      |
| ZOMBA DISTRICT                                                               | 167                       | 227                             |                               |                  |                         | 227               |                       |                      |                      |                     |                      |
| ZOMBA CITY (Central)                                                         | 25                        | 38                              |                               |                  |                         | 38                |                       |                      |                      |                     |                      |
| CHIRADZULU                                                                   | 83                        | 111                             |                               | 111              |                         |                   |                       |                      |                      |                     |                      |
| BLANTYRE DISTRICT                                                            | 118                       | 159                             |                               | 159              |                         |                   |                       |                      |                      |                     |                      |
| BLANTYRE CITY                                                                | 61                        | 201                             | 58                            | 143              |                         |                   |                       |                      |                      |                     |                      |
| MWANZA                                                                       | 34                        | 40                              |                               |                  |                         |                   |                       |                      |                      |                     |                      |
| NENO                                                                         | 56                        | 58                              | 58                            |                  |                         |                   |                       |                      |                      |                     |                      |
| THYOLO                                                                       | 140                       | 214                             |                               | 40               | 174                     |                   |                       |                      |                      |                     |                      |
| LUCHENZA MUNICIPAL COUNCIL                                                   | 8                         | 8                               |                               |                  | 8                       |                   |                       |                      |                      |                     |                      |
| PHALOMBE                                                                     | 82                        | 116                             |                               |                  | 73                      | 43                |                       |                      |                      |                     |                      |
| MULANJE                                                                      | 115                       | 209                             |                               |                  | 209                     |                   |                       |                      |                      |                     |                      |
| CHIKHWAWA                                                                    | 136                       | 180                             | 180                           |                  |                         |                   |                       |                      |                      |                     |                      |
| NSANJE                                                                       | 93                        | 107                             | 107                           |                  |                         |                   |                       |                      |                      |                     |                      |
| <b>TOTAL TEAMS</b>                                                           | <b>4445</b>               | <b>5759</b>                     | <b>443</b>                    | <b>453</b>       | <b>464</b>              | <b>673</b>        | <b>669</b>            | <b>816</b>           | <b>805</b>           | <b>798</b>          | <b>638</b>           |

## **Appendix 4- Phases of the inspection of the voters' register**

### **Phase one**

Nsanje, Chikhwawa, Blantyre City, Blantyre District, Mwanza, Neno, Lilongwe City, Kasungu Town Chiradzulu, Phalombe, Thyolo and Luncheonza Municipal.

### **Second phase**

Chitipa, Karonga, Rumphi, Mmbelwa, Nkhata Bay, Mzuzu City, Likoma, Nkhonkhotakota and Salima Councils

### **Third phase**

Kasungu District, Kasungu Municipal, Ntchisi, Dowa, Mchinji, Lilongwe District, Dedza, Ntcheu, Zomba District, Zomba City, Machinga, Balaka, Mangochi Town, Mangochi District and Mulanje.

## Appendix 5- Electoral Calendar covering major events



### MALAWI ELECTORAL COMMISSION

### 2014 TRIPARTITE ELECTORAL CALENDAR

| PERIOD                     | ACTIVITY/EVENT                                                                                               |
|----------------------------|--------------------------------------------------------------------------------------------------------------|
| January 2013               | Preliminary meetings with stakeholders on realignment of Wards and refining of Constituency boundaries.      |
| 14 January – 30 April 2013 | Public Hearings meetings on demarcation of wards and refining of wards boundaries in the councils            |
| 29 – 31 May 2013           | Briefing of stakeholders & Workshop with Civic and Voter Education accredited service providers.             |
| 4-7 June 2013              | Public Hearing meetings on Demarcation of Wards in Kasungu, Mangochi and Luchenza Town Councils              |
| 5 -6 June 2013             | Review and validation workshop for the Media code of conduct                                                 |
| 10 June -9 July 2013       | Submission of names of Party monitors for Registration process                                               |
| 11 -12 June 2013           | Orientation and Planning meetings with District Elections Coordinators (DCs and CEOs)- on Registration in LL |
| 14 June 2013               | Launch of 2014 Tripartite Elections in Blantyre                                                              |
| 14 June 2013               | Launching of Civic Education Taskforce in Blantyre                                                           |
| 14 June 2013               | Press Conference – Blantyre                                                                                  |
| 14 June 2013               | Invitation of Elections Observers                                                                            |
| 17 June – 15 August        | Training of Registration Supervisors and CROs                                                                |

|                                   |                                                                                                                    |
|-----------------------------------|--------------------------------------------------------------------------------------------------------------------|
| 2013                              |                                                                                                                    |
| 17 – 22 June 2013                 | Materials Development workshop and production of jingles on Tripartite Elections                                   |
| 17-21 June 2013                   | Public hearing meeting on Demarcation of Ward in Likoma Islands                                                    |
| 25 June 2013                      | Gazette notice of period for the Registration of Voters                                                            |
| 26 June 2013                      | Launch of the media code of conduct                                                                                |
| 27 June 2013                      | TOT on Registration for Political Parties                                                                          |
| 27 June 2013                      | Conflict Management workshop for Political Parties' General Secretaries.                                           |
| 28 June 2013                      | Consultative meetings with Political parties through CMD / NECOF                                                   |
| 1 - 16 July 2013                  | Training of Quality Control Managers and Camera Operators                                                          |
| 16 July 2013                      | Consultative meetings with Political parties through CMD / NECOF – Lilongwe                                        |
| 17 July 2013                      | Training of Police Commissioners, OCs, and Police Training Officers on Polling Security – Registration and Polling |
| 19 July 2014                      | Training of Security Personnel by OC and Police Trainers                                                           |
| <b>22 July – 18 December 2013</b> | <b>Registration of voters (in Phases)</b>                                                                          |
| 8 August 2013                     | Gazette Notice of Nomination fees                                                                                  |
| 20 August 2013                    | Consultative meetings with CMD / NECOF in Lilongwe                                                                 |
| November -December 2013           | Printing of nomination Forms                                                                                       |
| Jan 2014                          | Consultative meetings with CMD / NECOF in Blantyre                                                                 |
| 3 January 2014                    | Gazette Notice of Presentation of Nomination papers                                                                |

|                               |                                                                                                              |
|-------------------------------|--------------------------------------------------------------------------------------------------------------|
| 06 – 15 January 2014          | Briefing of Returning Officers on Nomination of candidates (CROs & DCs)                                      |
| 06 – 15 January 2014          | Distribution of Nomination forms from MEC to District Elections Coordinators/Constituency Returning Officers |
| 06 – 15 January 2014          | Distribution of Nomination Forms to Political Parties                                                        |
| 16 January – 14 February 2014 | Collection of Nomination forms by prospective candidates from DCs and CROs                                   |
| 10 – 14 February 2014         | Presentation of nomination papers to Returning Officers                                                      |
| 18 Feb - 14 March 2014        | Analysis of Nomination Forms                                                                                 |
| 10 – 22 March 2014            | Training of Voters roll inspection Staff (TOT)– CROs, QCMs & DECs                                            |
| 17 March 2014                 | Publish names of nominated candidates in the gazette                                                         |
| 17 March 2014                 | Gazette notice of taking a poll                                                                              |
| 18 March 2014                 | Launch of Official Campaign & Stakeholders meeting                                                           |
| 19 March – 18 April 2014      | Printing and inspection of ballot papers – Outside Malawi                                                    |
| 23 March 2014                 | Training of Voters roll inspection- Centre Supervisors and Clerks                                            |
| 24 – 28 March 2014            | Inspection of the interim voters' registers                                                                  |
| 25 March 2014                 | Presidential Debate in Mzuzu                                                                                 |
| April 2014                    | Consultative meetings with CMD / NECOF                                                                       |
| 10 April 2014                 | Presidential Debate in Lilongwe                                                                              |
| 14 April – 2 May 2014         | Printing of the final voters' register                                                                       |
| 28 April – 12 May 2014        | Training of Constituency Returning Officers (CROs), QCMs & DECs on Polling                                   |
| 29 April 2014                 | Stakeholders meeting - CMD / NECOF                                                                           |

|                                                         |                                                                           |
|---------------------------------------------------------|---------------------------------------------------------------------------|
| 5 – 13 May 2014                                         | Receipt of Ballot papers at the airport                                   |
| 05 – 16 May 2014                                        | Distribution of polling materials to Councils                             |
| 14 May 2014                                             | Presidential debate in Blantyre                                           |
| 14 – 17 May 2014                                        | Distribution of ballot papers to Councils                                 |
| 15 -17 May 2014                                         | Training of Presiding Officers in TDCs                                    |
| 18 May 2014                                             | Distribution of polling materials to Stations                             |
| 06:00 hrs            18 May<br>2014                     | End of campaign                                                           |
| 18 – 19 May 2014                                        | Training of Polling Clerks on Polling in all centres                      |
| <b>06:00 –18:00 hrs    20<sup>th</sup><br/>MAY 2014</b> | <b>Polling</b>                                                            |
| 21 – 28 May 2014                                        | Determination and announcement of Presidential and Parliamentary results  |
| 28 May – 10 June 2014                                   | Determination and announcement of Councilors results                      |
| 26 Aug 2014                                             | Post-mortem of the elections with District Council Elections Coordinators |

## Appendix 6- Accredited civic and voter education providers

1. Malawi Electoral Support Network
2. Pan African Civic Educators Network (PACENET)
3. YouthNet and Counseling (YONECO)
4. National Elections Systems Trust (NEST)
5. Centre for Development Communications (CDC)
6. The Story Workshop
7. Mtendere Election Support Network
8. The Institute for Policy Interaction (IPI)
9. Malawi Union of the Blind (MUB)
10. Circle for Integrated Community Development (CICOD)
11. Centre for Human Rights, Education, Advice & Assistance (CHREAA)
12. Democracy Yathu Programme (SRGDI)
13. Civil Liberties Committee (CILIC)
14. Women's Voice
15. National Women's Lobby Group
16. Umodzi Youth Organisation
17. Chinansi Foundation
18. Malawi CARER (Centre for Advice, Research and Education on Rights)
19. Active Youth in Development (AYIDO)
20. Active Youth Initiative for Social Enhancement (AYISE)
21. Nanzikambe Arts Development Organisation
22. Maonde Youth Initiative for Support (MAYISS)
23. Women and Law in Southern Africa (WILSA)
24. Solomonick Peacocks Theatre Organisation
25. Centre for Children's Affairs Malawi
26. Association of Progressive Women (APW)
27. Concerned Youth Organisation (CYO)
28. Umunthu Foundation
29. Development Communications Trust

30. Youth Impact Organisation
31. Centre for Alternatives  
Victimised Women and  
Children (CAVWOC)
32. Social and Economic Justice  
Organisation
33. Malawi National Association of  
the Deaf (MANAD)
34. Youth Coalition for  
Consolidation of Democracy
35. Justice Link
36. Peoples Federation for  
National Peace and  
Development (PEFENAP)
37. National Initiative for Civic  
Education (NICE)
38. Public Affairs Committee  
(PAC)
39. Human Rights Consultative  
Committee (HRCC)
40. Centre for Human Rights and  
Rehabilitation (CHRR)
41. NGO Gender Coordination  
Network (NGO-GCN)
42. Centre for Multiparty  
Democracy (CMD)
43. Malawi Human Rights Youth  
Network
44. Ntchisi Organisation for Youth  
and Development
45. Centre for Youth and  
Children's Affairs
46. Young Politicians Union
47. Nkhotakota Youth  
Organisation
48. Youth Empowerment & Civic  
Education
49. Malawi Local Government  
Association (MALGA)
50. Ladder for Rural Development
51. International Group  
Association (IGA)
52. Ntchisi Women Forum
53. Centre for Sustainable  
Community Development
54. Youth and Children Rights  
Shield
55. Centre for Children's Aid
56. Society for Peace
57. Communities in Development  
Activities (COIDA)
58. Foundation for Community  
Services (FOCUS)/Forum for  
Advocacy & Community  
Development
59. Lobbyists for Peace, Justice  
and Transparency

60. Youth Watch Society  
 61. Mzuzu Youth Association  
 62. Mbawemi Women Orphanage Care  
 63. Foundation for Children's Rights  
 64. Karonga Debate Club (KADEC)  
 65. Phunzilani Development Organisation  
 66. New Apostolic Relief and Development Programme (NARDEP)  
 67. Angaliba Foundation  
 68. Forum for New Direction  
 69. Muslim Association of Malawi (MAM)  
 70. Blantyre Synod Church and Society Programme  
 71. Pentecostal & Charismatic Network (PECHAN)  
 72. Qadria Muslim Association of Malawi  
 73. Islamic Information Bureau  
 74. Muslim Forum for Democracy and Peace (MUSFORD)  
 75. Peace in God Organisation (PIGO)

76. Munawwarah Islamic Organisation  
 77. The Registered Trustees of Reach Out Ministries  
 78. New Restoration Ministries International  
 79. Christian Compassion for the Destitute & Development  
 80. Catholic Commission for Justice and Peace (CCJP)  
 81. Malawi Council of Churches (MCC)  
 82. Church and Society Programme—Nkhoma Synod  
 83. Evangelical Association of Malawi (AEM)  
 84. Evangelical Lutheran Church in Malawi  
 85. Church and Society Programme—Livingstonia Synod  
 86. Chagunda Community Project  
 87. Chigwirizano Women Movement (CBO)  
 88. Kabula Youth and Community Initiative  
 89. Pamudzi Community Trust  
 90. Ufulu Wathu Community Based Organisation

91. Mithungu Youth
92. Nkanamwano Community Development Organisation
93. Tikondane CBO
94. Mpemba Youth Organisation
95. Thondwe Youth Skills Development Org. (THOYODO)
96. Neno Youth Works (CBO)
97. Women of Victory-CBO
98. Tiphedzane Community Support Organisation
99. Centre for Youth Development & Social Empowerment
100. Tithetse CBO
101. Youth Association for Behaviour Change
102. Tilimbikire CBO for the Elderly-Mzuzu CBO
103. Northern Region Women Forum
104. Chimwemwe Persons with Disabilities Organisation
105. Mzimba Community Based Organisation Network-CBO
106. Ekwendeni Community Based Organisation (CBO)

107. Chikulamayembe Women Forum (CBO)

## **B. Media and Advertising Agencies**

1. Go Bright Media,
2. Zodiak Broadcasting Station
3. Radio Maria
4. Nation Publications Ltd
5. AFJ Television
6. Ruflo Agencies
7. Radio Tigabane
8. Chilankhulo Media Consultants
9. Capital Radio
10. AMB Advertisement and Marketing Bureau
11. Dynamic Media Communications
12. Kamia Media Consultants
13. HBI Media Services
14. Galaxy Solutions
15. Corporate Colours
16. Thengo Investments

## **C. Road Show promoters**

1. Tink Promotions
2. Great Africa Communications
3. Florite
4. Wanga Crew Direct Marketing Company

## **D. Radio and TV Comedians**

1. Chindime and Samalani Theatre
2. Nyamalikiti Nthiwatiwa
3. Mr Jokes
4. First Dawn Arts
5. Community Radio Initiative (COMRI)

#### **E. Musicians**

1. Katawa Singers - Mzuzu
2. Lome Mafunga and Tinyade Sounds - Blantyre
3. Ravers Band - Blantyre
4. Patrick Simakweli - Blantyre
5. Maskal and Umunthu Band - Blantyre
6. PK Media - Blantyre
7. Mlaka Maliro and Maloto Vibrations - Blantyre
8. Chichiri Culture Troupe - Blantyre
9. Fitzqerad Simfukwe and The Chitipa Wailers - Mzuzu
10. The Never Ending Jupetters - Blantyre
11. Women Desk Band - Mzuzu
12. Music Point - Blantyre
13. Lusubilo Band - Karonga
14. Princess Chitsulo - Blantyre

15. Nyimbo Music Company - Lilongwe
16. Wanangwa Band - Mzuzu
17. Body, Mind and Soul Band - Mzuzu
18. Kaligo Melodies - Blantyre
19. Super Melody Band - Blantyre
20. Mandevu Farm Band - Machinga
21. Papa Mtume and the African Mingoli Band - Blantyre
22. Madalitso Njelema & Ndirande CCAP Praise Team - Blantyre
23. The Superb Boys Band - Blantyre
24. Mbakaya Dancing Troup - Chitipa
25. Makolo Music Disco - Blantyre
26. Dyghon Mbewe and Wonderful Birds - Mzuzu
27. Evergreen Video Company - Blantyre
28. Pamlonga Band - Mzuzu
29. Paradise Africa Band - Mzuzu
30. Snowden H. M. Ibbu, - Blantyre
31. Ndingo Band - Lilongwe
32. Chilanjo Band - Nkhotakota
33. Lucius Banda and Zembani Band - Balaka

## **F. Drama Groups**

1. Kwathu Drama Group - Blantyre
2. Tafika Arts Group - Lilongwe
3. Solomonik Peacocks Theatre - Blantyre
4. Kukaya Cultural Dance Troupe (K.C.D.T.) - Mzuzu
5. Amazon Arts Theatre - Blantyre
6. Tilinamwe Travelling Theatre - Mzuzu
7. National Theatre Association of Malawi - Blantyre
8. Katoto Mvalenji Drama Group - Mzuzu
9. Reformation Theatre/ Queens Pride - Lilongwe
10. Tiwale Cultural Troup - Lilongwe
11. Nginde Theatre Company - Blantyre
12. Dygo Cultural Troupe - Blantyre
13. BA-HE-CE Drama Group - Blantyre
14. Mzati Theatre Company - Blantyre
15. Zatelera Drama Group - Blantyre
16. Moto-Moto Drama - Chitipa
17. Pamodzi Travelling Theatre - Blantyre
18. Anyoni Drama Group - Blantyre
19. Azizi Travelling Theatre - Blantyre
20. Ticheze Performance Arts - Blantyre
21. Magagula and Che Jali Crew - Blantyre
22. Chiyambi Drama Group - Lilongwe
23. Twapochere Drama group - Machinga
24. Wakwithu Theatre - Mzimba
25. Tauka Arts Theatre - Blantyre
26. Soniso Aids Fighter Drama Group - Mulanje
27. Mussa Pennoh and Halu Drama Group - Nsanje
28. Anganga Afiki Theatre - Blantyre
29. Judges Cultural Troup and Drama Group - Blantyre
30. Taoloka Travelling Theatre - Blantyre
31. Astrovaganza - Mzuzu
32. Women in Theatre - Blantyre

- |                                             |                                                   |
|---------------------------------------------|---------------------------------------------------|
| 33.Mpoto Wafika Drama Group -<br>Mzuzu      | 49.Luka's Theatre - Blantyre                      |
| 34.Ndikhoza Drama Group -<br>Blantyre       | 50.Bantu Arts Theatre - Blantyre                  |
| 35.Damascus Drama Group -<br>Blantyre       | 51.Maziko Drama Group -<br>Blantyre               |
| 36.Tithandizane Drama Group -<br>Blantyre   | 52.Zakaria and Mwambo Arts<br>Theatre - Blantyre  |
| 37.Chimwemwe Arts Group -<br>Dedza          | 53.Kunthazi Arts Theatre - Mzuzu                  |
| 38.Oneness Drama Group -<br>Mzuzu           | 54.Rufiri Drama Group - Mzuzu                     |
| 39.Mbelo Travelling Theatre -<br>Chiradzulu | 55.Zikomo Cultural Troupe -<br>Lilongwe           |
| 40.Mbawala Travelling Theatre -<br>Dowa     | 56.Chisomo Drama Group -<br>Lilongwe              |
| 41.Chikolopa Performing Arts -<br>Karonga   | 57.Kauni Theatre for<br>Development - Ntchisi     |
| 42.Upile Drama Group - Blantyre             | 58.Zawo Performing Arts - Blantyre                |
| 43.Dragon Arts - Mzuzu                      | 59.Apawo Drama Group -<br>Blantyre                |
| 44.Mbakwiza Drama Group -<br>Mzuzu          | 60.Tithandizane Theatre for<br>Development - Dowa |
| 45.Nang'ombe Drama Group -<br>Thyolo        | 61.Nkumbira Arts Theatre -<br>Blantyre            |
| 46.Mdoka Travelling Theatre -<br>Blantyre   | 62.Ashimo Drama Group -<br>Kasungu                |
| 47.Mwazona Drama Group -<br>Blantyre        | 63.Storm Arts Theatre - Lilongwe                  |
| 48.Tonse Drama Group - Mulanje              | 64.Pfuko Arts Theatre - Lilongwe                  |
|                                             | 65.Ulemu Drama Group - Ntcheu                     |
|                                             | 66.Nkhutukumve Drama Group -<br>Kasungu           |

- |                                                   |                                                           |
|---------------------------------------------------|-----------------------------------------------------------|
| 67.Nthalire Drama Group -<br>Chitipa              | 83.Phunziro Arts Theatre -<br>Lilongwe                    |
| 68.Lions Theatre - Blantyre                       | 84.Auze Drama Group - Ntcheu                              |
| 69.Chithozi Drama Group - Mzuzu                   | 85.Islamic Arts Laboratory -<br>Lilongwe                  |
| 70.Tiyanjane Arts Group -<br>Lilongwe             | 86.Gado Drama Group - Thyolo                              |
| 71.Kumvera Drama Group -<br>Blantyre              | 87.Fikisa Dancing Troupe - Balaka                         |
| 72.Mpemba Youth Group Theatre<br>- Blantyre       | 88.Bwalo Drama Group - Blantyre                           |
| 73.Kachere Cultural Troupe -<br>Blantyre          | 89.Mvao Travelling Theatre -<br>Blantyre                  |
| 74.Lilongwe Arts Theatre -<br>Lilongwe            | 90.Business Eye and Creative<br>Communications - Blantyre |
| 75.City Public Awareness Arts<br>Group - Lilongwe | 91.Rising Chores Theatre -<br>Lilongwe                    |
| 76.Prison Reform Drama group -<br>Zomba           | 92.Winiko Theatre Company--<br>Blantyre                   |
| 77.Pess Theatre Company - Mzuzu                   |                                                           |
| 78.B.E.N Theatre, Blantyre                        |                                                           |
| 79.Tabwera Dance Troup -<br>Lilongwe              |                                                           |
| 80.Noriega and Atcheya Drama<br>Group - Blantyre  |                                                           |
| 81.Masache Drama Group -<br>Lilongwe              |                                                           |
| 82.Wanna Do Ensemble Theatre -<br>Blantyre        |                                                           |

## **Appendix 7- Media houses visited by the Commission**

1. Capital FM
2. Blantyre Newspapers Limited
3. FM 101 Power
4. Radio Islam
5. Nation Publications Limited
6. Living Waters Church (LWC) Radio
7. Calvary Family Church (CFC) TV and Radio
8. All For Jesus (AFJ) TV, Joy Radio
9. Seventh Day Adventist (SDA) Radio
10. Star FM
11. Malawi Institute of Journalism (MIJ) FM
12. Matindi FM
13. Montfort Media and Luntha TV
14. Radio Maria
15. Dzimwe Community Radio
16. Trans World Radio
17. Zodiak Broadcasting Station
18. Maziko Radio
19. Galaxy FM
20. Mudziwathu Community Radio
21. Mzimba Community Radio
22. Radio Tigabane
23. Voice of Livingstonia
24. Nkhotakota Radio
25. Radio Alinafe
26. African Bible College (ABC) Radio
27. Channel for All Nations
28. Media Institute of Southern Africa (MISA) Malawi and
29. Media Council of Malawi.

## **Appendix 8: Polling stations that opened on 21<sup>st</sup> and 22<sup>nd</sup> May 2014**

### **21 May 2014 from 10:00 am up to 06:00 pm**

- Dedza South Constituency: Machesa, Mkiwe, Mwenje, Madzumbi and Kanyenda Schools
- Lilongwe South West constituency: Mtsinje Ground, House of Hope, Sambachikho School
- Blantyre South West constituency: Chilingani 1 School, Mpapa School, Khola School, Kachere II School, Nchokera School
- Blantyre West Constituency: Chigombe F.P. School, Chimembe School, Chilingani II School, Khombwe School, Maliya School, Mbengwe School, Mchenga School, Imbwa Trading Centre, Dzunga School, Mkomadzi School, Andiseni School, Chikowa Court, Gumeni School, Kaliati Trading Centre, Likongwe Trading Centre, Mpatseabwire Primary School, Nafisi Primary School, Tedzani School, Mdidi School
- Blantyre City South East constituency: Mwai School, Seyama School, Chiwembe MHC Offices, Namame F.P. School, Kapeni Demonstration School
- Blantyre City Centre Constituency: Namalimwe F.P. School, Ndirande Kachere F.P. School, Ndirande Community Hall, Ndirande Matope School
- Blantyre Malabada Constituency: Ndirande Hill F.P. School, Chitsime School
- Blantyre City East constituency: Nkolokoti F.P School

### **22<sup>nd</sup> May 2014**

Chiwembe Malawi Housing Corporation Office, Nkolokoti, Ndirande Matope, Msambachikho, House of Hope and Mtsinje Ground polling stations in Lilongwe.

### Appendix 9- Registration figures during 2014 by-elections

| Ward/Constituency                                | New Reg.     | Total Number of Voters |
|--------------------------------------------------|--------------|------------------------|
| 1. Zgeba Ward, Karonga Nyungwe Constituency      | 104          | 9576                   |
| 2.Mbalachanda Ward, Mzimba Central Constituency  | 288          | 18,484                 |
| 3. Lifupa Ward, Kasungu West Constituency        | 531          | 24,153                 |
| 4. Kandeu Ward, Ntcheu North East                | 159          | 18789                  |
| 5. Lisanjala Ward, Machinga Likwenu Constituency | 140          | 13,120                 |
| Blantyre North Constituency 460 38,959           | 460          | 38,959                 |
| 7. Thyolo East Constituency 591 54,762           | 591          | 54,762                 |
| <b>Total</b>                                     | <b>2,273</b> | <b>177,843</b>         |

## Appendix 10- Nomination papers presented in the by-elections

### Thyolo East

| NAME                          | SEX | AFFILIATION |
|-------------------------------|-----|-------------|
| January Chewasi Smart BWANALI | M   | INDEPENDENT |
| Bertha Florence CHISANGA      | F   | MCP         |
| Elisha Joel MILANZI           | M   | INDEPENDENT |
| Gerson Timothy SOLOMONI       | M   | DPP         |
|                               |     |             |

### Blantyre North Constituency

| NAME                    | SEX | AFFILIATION |
|-------------------------|-----|-------------|
| Wyson Dominic MAKUNGWA  | M   | Independent |
| Willie Chikaiko MAULANA | M   | MCP         |
| Paul Jonas MAULIDI      | M   | PP          |
| Aubrey MOKWACHA         | M   | Independent |
| Caleb Charles NG'OMBO   | M   | UDF         |
| Francis Lucky PHISO     | M   | DPP         |

### Lisanjala Ward

| NAME                 | SEX | AFFILIATION |
|----------------------|-----|-------------|
| Ashraf Tepani BOTHA  | M   | Independent |
| David F.C. CHITEDZE  | M   | Independent |
| John Chipojola DYTON | M   | Independent |
| Suzen Yassin GAMA    | F   | PP          |
| Loveness KATEMBO     | F   | Independent |
| Richard MATENJE      | M   | Independent |
| January SOZIBELE     | M   | Independent |

|                        |   |     |
|------------------------|---|-----|
| Charles Mbewe THOMONDO | M | UDF |
| Chancy Often TIWALE    | M | DPP |

#### **Kandeu Ward**

| <b>NAME</b>               | <b>SEX</b> | <b>AFFILIATION</b> |
|---------------------------|------------|--------------------|
| Andrew ALEXANDER          | M          | DPP                |
| Renox Master GOBEDE       | M          | Independent        |
| Dave KACHINGWE            | M          | Independent        |
| Harold Jonnes LIWONDE     | M          | MCP                |
| Francis Doba Gamah MALIRO | M          | UDF                |
| Gabriel E. MISOMALI       | M          | Independent        |
| Stanly Duma SIYASIYA      | M          | Pp                 |

#### **Lifupa Ward**

| <b>NAME</b>                 | <b>SEX</b> | <b>AFFILIATION</b> |
|-----------------------------|------------|--------------------|
| Gift Magwalangwa BANDA      | M          | DPP                |
| Mathias Chimowa BANDA       | M          | MCP                |
| Samson M.B.C. BANDA         | M          | UDF                |
| Jairos K. BONONGWE          | M          | Independent        |
| Josophat Kadzakalowa KASESE | M          | Independent        |
| Shadreck Keith PHIRI        | M          | PP                 |

#### **Mbalachanda Ward**

| <b>NAME</b>               | <b>SEX</b> | <b>AFFILIATION</b> |
|---------------------------|------------|--------------------|
| Palipose John CHIPETA     | M          | PP                 |
| Moses Manlol Jerk KAMANGA | M          | DPP                |

|                               |   |             |
|-------------------------------|---|-------------|
| Davis Chipato Kapondera MANDA | M | Independent |
|-------------------------------|---|-------------|

### **Zgeba Ward**

| <b>NAME</b>                       | <b>SEX</b> | <b>AFFILIATION</b> |
|-----------------------------------|------------|--------------------|
| Jonathan Joddy Mpone<br>MATANDARA | M          | Independent        |
| Gibson MULWA                      | M          | PP                 |
| Spencer Jonah T. MWALWENI         | F          | Independent        |
| Ganyavu NGWIRA                    | M          | DPP                |
| Victor Connex NTHARA              | M          | MCP                |

## **Appendix 11- Composition of Multiparty Liaison Committee (MPLC)**

District Commissioner/CEO – Chairperson  
District Education Manager  
Director of Administration – Secretary  
Officer-In-Charge of Police  
In-Charge of CID  
NICE Officer  
District Information Officer  
Chairperson/Governor of existing political parties  
PAC Representative  
2 TAs representing others  
District Elections Clerks  
MEC Stringer

## Appendix 12- Summary of court cases and appeals

| No. | CASE                                                                    | NUMBER                                                   | STATUS                                                          | DISTRICT<br>REGISTRY |
|-----|-------------------------------------------------------------------------|----------------------------------------------------------|-----------------------------------------------------------------|----------------------|
| 1   | Bertha Zilemba vs.<br>MEC                                               | 59 of 2014                                               | Waiting for judgment (Petition<br>heard on 18th September 2014) | Lilongwe             |
| 2   | Enock Zimba vs.<br>MEC                                                  | 62 of 2014                                               | Waiting for judgment (Petition<br>heard on 14th Oct 2014)       | Lilongwe             |
| 3   | John Ashems<br>Songwe                                                   | 63 of 2014                                               | Waiting for judgment (Petition<br>heard on 29th August 2014)    | Lilongwe             |
| 4   | Ulemu Msungama<br>vs. MEC                                               | 64 of 2014                                               | Rerun ordered (Petition heard on<br>16th September 2014)        | Lilongwe             |
| 5   | Anna<br>Kankhwende Vs.<br>MEC                                           | Case not listed because of non -availability<br>of space |                                                                 | Lilongwe             |
| 6   | Sabina Patel,<br>Rahim Rehmtulla<br>Elias & Wells John<br>Adams vs. MEC | 66 of 2014                                               | Waiting for date of hearing                                     | Lilongwe             |
| 7   | Joseph B.<br>Mnthambala                                                 | 67 of 2014                                               | Waiting for date of hearing                                     | Lilongwe             |
| 8   | Ruth Mapemba                                                            | 68 of 2014                                               | Waiting for date of hearing                                     | Lilongwe             |
| 9   | Mahomed<br>Yahaya                                                       | Waiting for date of hearing                              |                                                                 | Lilongwe             |
| 10  | Laurence Mark<br>Sitolo vs. MEC                                         | 10 of 2014                                               | Case withdrawn                                                  | Blantyre             |
| 11  | Yunus Mussa vs.<br>MEC                                                  | 14 of 2014                                               | Case dismissed                                                  | Blantyre             |
| 12  | Jefred Brown                                                            | 15 of 2014                                               | Hearing scheduled for 12                                        | Blantyre             |

|    |                                        |                             |                                                                |          |
|----|----------------------------------------|-----------------------------|----------------------------------------------------------------|----------|
|    | Mchali vs. MEC                         |                             | February                                                       |          |
| 13 | John Zingale vs. MEC                   | 17 of 2014                  | Waiting for date of hearing                                    | Blantyre |
| 14 | Eunice Makangala vs. MEC               | 20 of 2014                  | Case dismissed                                                 | Blantyre |
| 15 | Jan-Jaap Jakobus Sonke vs. MEC         | 22 of 2014                  | Waiting for date of hearing                                    | Blantyre |
| 16 | Fidson Symon Chisesele vs. MEC         | Waiting for date of hearing |                                                                | Blantyre |
| 17 | Eliot Mankhamba Phiri                  | 25 of 2014                  | Case dismissed                                                 | Blantyre |
| 18 | Dereck Elias Safari vs. MEC            |                             | Notice of hearing sent, waiting for date of hearing            | Blantyre |
| 19 | Yeremiah Mzezge Wilson Chihana vs. MEC | 26 of 2014                  | Waiting for judgment (Petition heard on 3rd October 2014)      | Zomba    |
| 20 | Loveness Gondwe vs. MEC                | 25 of 2014                  | Waiting for judgment (Petition heard on 3rd October 2014)      | Zomba    |
| 21 | Lada Madalitso Chimalanga              | 23 of 2014                  | Waiting for dates of hearing to be scheduled by the High Court | Zomba    |
| 22 | Mwalone Jangiya vs. MEC                | 24 of 2014                  | Waiting for dates of hearing to be scheduled by the High Court | Zomba    |
| 23 | Starneck Kulemero vs MEC               | 16 of 2014                  | Case dismissed                                                 | Blantyre |
| 24 | Barry Hamilton Kasamba vs MEC          | 26 of 2014                  | Matter adjourned waiting for hearing                           | Blantyre |
| 25 | Foster Thipiwa vs                      | 24 of 2014                  | Waiting for hearing                                            | Blantyre |

|    |                    |            |                                                     |          |
|----|--------------------|------------|-----------------------------------------------------|----------|
|    | MEC                |            |                                                     |          |
| 26 | Patrick Kamkwatira | 12 of 2014 | Case closed Judge ruled in favour of the Respondent | Blantyre |

### SUMMARY

| Legal Unit cases                                               |           |
|----------------------------------------------------------------|-----------|
| Waiting for dates of hearing to be scheduled by the High Court | 11        |
| Waiting for judgment                                           | 5         |
| No date set (hearings will be set after December)              | 3         |
| Dismissed                                                      | 3         |
| Re-run                                                         | 1         |
| In the Supreme Court                                           | 1         |
| Withdrawn                                                      | 2         |
| <b>TOTAL</b>                                                   | <b>26</b> |