

OBSERVATION REPORT FOR PHASE ONE VOTER REGISTRATION EXERCISE – 21ST OCTOBER TO 3RD NOVEMBER 2024



MALAWI 2025 TRIPARTITE ELECTIONS

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Introduction

This observation report is offered by the Pan African Civic Educators Network (PACENET), a local non-governmental organization accredited by the Malawi Electoral Commission (MEC) in line with **Sections 103 and 108(c)** of the Presidential, Parliamentary, and Local Government Elections (PPLGE) Act to provide essential oversight of phase one of the voter registration exercise and all other electoral processes leading to the election Day on 16 September 2025 as reflected in **Section 104** of PPLGE Act.

PACENET has a team of eighteen **(18)** LTOs drawn from CBOs, the Board of Directors, Management, and Staff and were accredited by MEC to discharge their duties in line with **Section 104** of the PPLGE Act. The CBOs are the grassroots partners in the implementation of all community interventions or projects by PACENET and operate under a structure called (Transparency and Accountability Club/Democracy Volunteers). Currently, these LTOs are participating in this exercise pro bono as PACENET has no funding. Their motivation is grounded in the belief that “democracy in Malawi is under threat and needs to be safeguarded by the citizenry.” For phase one of the voter registration, only seven **(9)** LTOs participated in three district councils out of fourteen district, town, and city councils earmarked for this phase. The three district councils are Chiradzulu, Mulanje, and Machinga.

The observation main mission's was to assess whether the registration exercise complied with national laws in Malawi as well as satisfying regional and international human rights standards, principles, and best practices related to democratic elections. Through this observation exercise, PACENET echoes the demand and interest for inclusive and transparent elections in Malawi; offers a comprehensive, impartial, and objective assessment of the registration exercise in phase one; provides actionable recommendations to strengthen the administrative, legal, and regulatory environments; and documents the activities of malign entities who may seek to interfere in or discredit the election process or credible civil society organizations providing essential oversight of the voter registration process and all other electoral activities to follow, ahead of the e-Day on 16th September 2025.

Importantly, PACENET's observation mission recognizes that the voter registration exercise is critical for the integrity and credibility of the 16th September 2025 tripartite elections and the democratic future of Malawi against a background of several calls for the postponement of the voter registration exercise, the resignation of the current MEC Chairperson and some senior management staff for their alleged connection to the party in government now. PACENET's involvement in the observation of phase one of the voter registration exercise and subsequent electoral activities on the electoral calendar underscores its dedication to advancing democratic integrity, inclusiveness, transparent and accountable electoral processes in Malawi.

Methodology

The LTOs were deployed to phase one of the voter registration exercise without prior training due to a lack of funding. However, PACENET recruited LTOs who had worked on similar assignments before. They were deployed on the 21st of September and conducted their observation up to the 3rd of November 2024 when phase one was concluded. The LTOs randomly visited various registration centers set up by the Malawi Electoral Commission. A total of nine **(9)** LTOs covered fifty six **(56)** voter registration centers in ten (10) constituencies across three districts. The LTOs were guided by a checklist designed by PACENET seeking information about; the daily opening and closing of voter registration centres; the daily registered, and rejected number of potential voters segregated by sex, and age; performance of the equipment and personnel from MEC and National Registration Bureau (NRB) at the centers; availability of fuel for the generators; the presence of party agents, the media and other observers from accredited organizations; the impact of the High Court Judgement of Civil Cause NO.130 delivered on Friday 25th October 2024 in the case in which some **concerned citizens** sought a Court injunction against the Malawi Electoral Commission's use of the national ID as a sole means of identification for voter registration. The LTOs were also asked to assess if enough community mobilization for the voter registration exercise was done by MEC, political parties, and accredited local NGOs.

All LTOs were given the liberty to visit voter registration centres within walking distance as they were not supported financially to cater for transport, airtime, and lunch. PACENET's secretariat set up a WhatsApp group to facilitate communication between the LTOs and the secretariat and among the LTOs themselves. Reporting was also done through this forum. The secretariat was also able to call specific individuals among the LTOs to follow up on reports or issues that required clarification. LTOs were mandated to report daily after the closing of voter registration centres with a caveat to report critical incidents as and when they occurred.

PACENET as a member of the Global Network of Domestic Election Monitors (GNDEM), ensured that the LTOs conducted their activities in line with the laws of Malawi and the Declaration of Principles for Nonpartisan Election Monitoring by Citizen Organizations and Code of Conduct for Non-partisan Citizen Election Monitors.

SOCIO-ECONOMIC AND POLITICAL CONTEXT

The commencement of the voter registration exercise came at a time when the country continues to face acute food insecurity with many households struggling to afford basic needs for survival such as maize for food, cooking oil, sugar, and salt. Already there are cases of people barely affording a basic meal a day, with others surviving on wild fruits and tubers at the expense of endangering their lives. The scarcity of fuel and electricity load shedding is another problem threatening the economic survival of the country as well as its people. Production of goods and services has slowed leading to unaffordable prices of goods and services. Against this background, the socio-economic and political environment in Malawi remains volatile as the government and the opposition engage in accusations and counter-accusations as to the real cause and solution of these socio-economic ills affecting the country. Social anger is being expressed through civil demonstrations or threats of the same by various sections of the Malawi population, especially civil society groups and opposition political parties. Additionally, there are accusations by some opposition political parties and individuals of election rigging by the party in power, coupled with the opposition political parties' objection to MEC's choice of Smartmatic International Holding B.V to supply Election Management Devices (EMDs), and the Election Management System Software.

It is safe to say that currently there is a loss of trust in the MEC by the majority of opposition parties bordering on the appointment of the current MEC Chairperson and the majority of senior management staff at the commission. Overall, the situation is a recipe for public mistrust in the whole electoral process leading to the 16 September 2025 general election, low turn-up at voter registration centers, and voter apathy on election day.

The decision by PACENET to recruit and deploy LTOs is meant to promote public trust in the current electoral process by encouraging potential voters through community awareness to go and register and vote in large numbers when the event for voter registration and voting come.

Key Observations

a. Opening and closing of voter registration centers

LTOs reported that voter registration centers opened at 8 am and closed at 4 pm or slightly after 4 pm in the case where people were still in the queue to register.

b. Presence of party agents, local observers, and security agents

LTOs reported the presence of party agents for the Malawi Congress Party (MCP), the Democratic Progressive Party (DPP), the United Transformation Movement (UTM), the United Democratic Front (UDF) and the People's Development Party (PDP).

On observers:

Our LTOs reported the presence of observers from the Catholic Commission for Justice and Peace (CCJP), the National Initiative for Civic Education (NICE), and the Centre for Human Rights and Rehabilitation (CHRR). However, the main challenge observers including those from PACENET faced was the delay by MEC to issue them with IDs for their identification at voter registration centers in line with **Section 109 (b), (c)** of the (PPLGE) Act, and as read together with **Section 110** of the same (PPLGE) Act.

All LTOs reported the presence of police officers at every voter registration center to provide security and orderliness.

c. Equipment

No serious cases of equipment malfunctioning were reported.

d. Personnel

LTOs reported adequate staff at registration centers, the majority being young people and females. Overall staff at voter registration centers were conversant with the processes and ready to help those who came for registration. The elderly, the sick and those breastfeeding were not standing in queue but assisted immediately on arrival at the registration center.

LTOs also reported that supervisors at voter registration centers were respectful to both party agents and local observers and despite local observers' not having IDs from MEC at the commencement of the exercise cases of denied access to voter registration centers were zero. Supervisors used their discretion considering the critical role of observers in ensuring transparency of the electoral process.

e. Turn out at voter registration centers

LTOs reported a good turnout at all centers with females and the youth registering in large numbers. However, LTOs reported cases of potential voters denied registration due to lack of a national ID and those who could not be traced in the NRB system despite claiming to have been registered for a national ID in 2023.

There were cases of duplicate photos in the NRB system belonging to the same person

f. Impact of the High Court Judgement on the sole use of National ID by MEC for voter identification.

Following the High Court Judgement of Civil Cause NO.130 delivered on Friday 25th October 2024 in the case in which some **concerned citizens** sought a Court injunction against the Malawi Electoral Commission's use of the national ID as a sole means of identification for voter registration, and while upholding the law on voter registration ordered the NRB,

" ... to immediately take steps and put in place adequate mechanisms that would ensure that persons who meet the eligibility criteria set by Section 77 of the

Constitution and present themselves at the Malawi Electoral Commission's MEC registration centres, but do not have proof of eligibility issued to them by NRB, are assisted to register in its database and given a unique identifier in line with the requirements of Section 12 of the Presidential, Parliamentary and Local Government Elections Act and then allowed to register as voters thereafter with MEC..."

This was followed by a public statement by NRB committing itself to implement the High Court Order and MEC's announcement that phase one of voter registration would be extended and details to come after phase three of the voter registration.

g. Community mobilization

LTOs reported that mobilization for voter registration did not adequately cover many communities. Apart from messages on radios, prayer houses, and rallies by political leaders, many areas were not reached with messages. Furthermore, the calls from some opposition political parties and concerned citizens on the MEC to postpone the voter registration exercise coupled with the application to the High Court for an injunction against MEC's use of national ID as the only identification for voter registration created confusion among potential voters.

KEY RECOMMENDATIONS

In the spirit of national cooperation, PACENET offers the following key recommendations that can be implemented by MEC, NRB, political players and development partners in Malawi to enhance transparent, credible, and inclusive electoral processes ahead of the e-Day on 16 September 2025:

a). Malawi Electoral Commission

1. The MEC should take immediate practical steps to address all outstanding concerns raised by opposition political parties and concerned citizens relating to the voter registration exercise and the entire electoral process leading to the tripartite elections on 16 September 2025. The concerns include perceived biases towards the party in power by MEC and the decision by MEC to hire the services of Smartmatic International Holding B.V. These concerns create a landscape of an uneven electoral playing field that favor the ruling party and poses a significant obstacle to genuinely competitive, transparent, and credible elections. Therefore, PACENET recommends a facilitated round table dialogue by the Centre for Multiparty Democracy bringing together MEC and political parties as a matter of urgency.
2. Recognizing MEC's public commitment towards addressing the impact of implementing the 25th of October High Court Judgement by extending phase one of the voter registration exercise, PACENET urges the MEC to consult all political parties to agree on the actual days for extension and when this should be effected. This would be a crucial step by MEC given the open declaration of lack of trust and confidence in the MEC by some opposition parties and section of the Malawi population.
3. Voter mobilization is by law the primary responsibility of the MEC. Other electoral stakeholders like CSOs, political parties, candidates, and the media may be involved in voter mobilization to complement MEC efforts. PACENET through its LTOs noted that phase one of the voter registration was affected by inadequate voter mobilization initiatives. The scarcity of fuel, the court challenge, and calls for postponement of the voter registration exercise created some confusion among potential voters and therefore required to be addressed by directly reaching out to voters in their communities. PACENET therefore urges MEC to

up its efforts for the mobilization of potential voters to come out and register in large numbers.

b). National Registration Bureau (NRB)

1. While our LTOs did not report on possible deliberate actions by NRB staff at voter registration centres not to implement immediately the High Court Ruling delivered on 25th October and ordering NRB to put measures in place for registration of those who have not been registered by NRB, PACENET would like to echo what it already communicated through its press statement issued on 30th October 2024 among other things appealing to NRB to avail its registration staff at all MEC's voter registration centres equipped with National ID registration kits for them to start registering those who were not registered but have attained the age of eighteen or will have attained the age of eighteen on 16 September 2025.
2. There is a need for intensive screening of registered persons to ensure duplicate photos removed, all particulars of the registered persons are correct and matching with photos.

c). Development Partners

1. The presence of four or five accredited CSOs at voter registration centers clearly shows that the majority of the over one hundred plus accredited CSOs by MEC are not actively participating in the current electoral process for the 2025 tripartite elections due to lack of funding. PACENET also appreciates the financial and technical support development partners in Malawi provide during elections to CSOs.
2. However, given the many challenges the country is going through and realizing the need for active citizen participation in elections, PACENET would like to appeal for urgent and targeted support towards enhancing CSOs' active involvement in the current electoral process leading to the polls on the 16th September 2025 as observers and mobilizers of voters.

Acknowledgments

The Pan African Civic Educators Network has actively participated in elections in Malawi since 2003 as an observer, CVE provider, and advocate for electoral reform and women and youth political empowerment. PACENET is exceptionally grateful to the LTOs who spent their own time and money to observe the voter registration exercise at over forty voter registration centers in three districts, Chiradzulu, Machinga, and Mulanje.

PACENET is thankful for the cooperation and support it received from all voter registration center supervisors who welcomed the LTOs and allowed them to perform their oversight functions. Lastly, PACENET is grateful to MEC for heeding our appeal to expedite the printing and distribution of IDs for LTOs. PACENET made the appeal through a press release on 22 October 2024.

Certified by:



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ANNEX 1

DISTRIBUTION LIST OF LTOs AND VOTER REGISTRATION CENTERS

| DISTRICT | CONSTITUENCY | WARD | VOTER REGISTRATION CENTER OBSERVED | NAME OF LTO | CONTACT NUMBERS |
|----------|---------------------|---------|------------------------------------|-----------------|-----------------|
| Machinga | Machinga Northeast | Mpili | Nainunje School | Prisca Masika | 0889827926 |
| | | | Namasika School | | |
| | | | Sonje Primary School | | |
| | | | Mchedweka School | | |
| | Machinga South East | Ngokwe | Namigogo LEA School | Stephano Joseph | |
| | | | Peheliya CBCC | | |
| | | | Chinama School | | |
| | | | Dinji Trading Centre | | |
| | | | Mayera School | | |
| | | | Chilambe CBCC | | |
| | | | Chitundu CBCC | | |
| | | | Ngokwe LEA School | | |
| | | | Njete CBCC | | |
| | | | Namiyala School | | |
| | | | Nangongo LEA School | | |
| | | | Chimanda CBCC | | |
| | | | Nkapalira II School | | |
| | | | Mkwakwawila LEA School | | |
| | | Sankhwi | Namasimba School | | |

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|---------|-----------------------|------------|--------------------------------------|------------------|------------|
| | Machinga Central | Mbonechera | Mbenjere Sec.School Kaombe School | Triphonia Matiki | 0995438712 |
| Mulanje | Machinga Central East | Kanjuli | Chilala FP Sch | Chris Matiki | 0999263393 |
| | | | Saidi Mataka School | | |
| | | | Nkotamo FP Sch. | | |
| | Mulanje Pasani | Chole | Nankhoyo Under Five Clinic | Famous Taulo | 0888937386 |
| | | | Pasani School | | |
| | | | St Anna Greek Orthodox Church | | |
| | | | Mambala School | | |
| | | | Sukayakwe School | | |
| | | | Samson School | | |
| | | | Chidyangombe Under Five Clinic | | |
| | | Chambe | Mwangothaya FP School | | |
| | | | Kachenje Mosque Ground | | |
| | Mulanje North | Mombezi | Kamwendo FP School | Gilbert Kanyoza | 0899456673 |
| | | | Chilera LEA School | | |
| | | | Dyanyama LEA School | | |
| | | | Masangwani LEA School | | |
| | | | Mlambe LEA School | | |

