

# Acknowledgements

We wish to express our profound appreciation to the people of Malawi for the warm and hospitable reception afforded to us at a unique moment in their history.

We would like to thank His Excellency President Hastings Kamuzu Banda who found time to welcome us personally.

We extend warm tribute to the Chairperson of the Electoral Commission, Mrs Justice Anastasia Msosa, her colleagues on the Commission, District Commissioners and all others who worked tirelessly to fulfil the demanding duties of the elections with admirable professionalism.

We would like to record our gratitude for the opportunity of meeting with representatives of the National Executive Committee, which greatly assisted our work.

Our warm thanks go collectively to all the political leaders in Malawi and their colleagues, as well as groups and individuals, many of whom found time in the most demanding circumstances to meet with us and share their opinions and concerns.

We wish to express our satisfaction with the level of co-operation achieved with the Joint International Observer Group whose work was co-ordinated by the United Nations Electoral Assistance Secretariat.

We would like to convey special appreciation to the Commonwealth Secretary-General, Chief Emeka Anyaoku, whose counsel we greatly valued.

# **Annexes**

## ANNEX I

### Composition of the Commonwealth Observer Group

#### ***Dato' Musa Hitam (Malaysia – Chairman)***

Dato' Musa Hitam is currently Malaysia's Chief Representative to the UN Commission on Human Rights. He is a former Deputy Prime Minister (1990–91), Minister of Home Affairs (1981–86), and Special Envoy to the UN (1990–91). His distinguished political career also includes service as Minister of Education (1978–81), Primary Industries (1974–78) and Trade and Industries (1971–74). He has represented his country at senior level at a number of international fora including UNCTAD/GATT, ECOSOC, ESCAP and UNESCO. He was Chairman of the Commonwealth Parliamentary Association 1976–79. He was educated at universities in Malaysia and Britain and has been a Fellow at Harvard University.

#### ***Mr Vic Butler (Britain)***

Mr Vic Butler is a former Town Clerk and Chief Executive whose long public service career began with appointments in local government in Britain. He has held posts in training, staff development, senior management and election administration in Britain, Zambia, Papua New Guinea, Malawi and Kiribati. He was a UN-appointed International Polling Station Officer in Cambodia; a member of the European Community election monitoring group to Pakistan in 1993; and a member of the Commonwealth electoral experts to South Africa recently. He is a member of the Chartered Institute of Secretaries and the Association of Electoral Administrators.

#### ***Mr Derek Ingram (Britain)***

Mr Derek Ingram has been a journalist from 1942, and was Editor of Gemini News Service from its inception in 1967 until 1993. He served in the Royal Navy from 1943–46 and started his journalistic career on the *Daily Sketch* and *Daily Express*. He also worked for the *Daily Mail* from 1949–66 and was the Deputy Editor before founding Gemini News Service. He was the President of the Commonwealth Journalists Association from 1973–90. He is a Governor of the Commonwealth Trust and Vice-President, Royal Commonwealth Society; Member, Board of Governors, Commonwealth Institute from 1969–88; Member of the Executive Committee, Commonwealth Press Union; Fellow of the Royal Society of Arts and President of the Diplomatic and Commonwealth Writers Association of Britain from 1972–73. Mr Ingram was Media Adviser to the Commonwealth Observer Group in Zimbabwe in 1980 and a member of the Commonwealth Observer Group to Pakistan in 1993. More recently, he was Media Adviser to the European Election Unit Observer Group in South Africa. He is the author of *The Commonwealth Challenge*, *Commonwealth for a Colour-Blind World*, *The Commonwealth at Work* and *The Imperfect Commonwealth*.

#### ***HE Dr T J B Jokonya (Zimbabwe)***

HE Dr T J B Jokonya is Zimbabwe's Ambassador and Permanent Representative to the United Nations in Geneva. Concurrently accredited to a number of other international organisations including GATT, UNCTAD and the IAEA, he served as Ambassador to Ethiopia (1983–88) and Permanent Representative to the OAU; and as Senior Permanent Secretary in the Ministry of Foreign Affairs (1988–90). Prior to his diplomatic career, he was a University Lecturer in Zimbabwe (1978–80) after graduating with a Doctorate in History at the University of Sussex in 1972. Dr Jokonya is also the Personal Representative of HE The President of the Republic of Zimbabwe to the Group of Fifteen (G15) Developing Countries.

#### ***The Hon Zephania Kameeta (Namibia)***

The Hon Zephania Kameeta has been the Deputy Speaker of Parliament since 1990 when Namibia gained its independence. He was first elected to the Constituent Assembly in 1989 before winning a seat in Parliament the following year. He was a teacher in the Theological

Seminary from 1978–81 and from 1982–89 was a church leader. He is a member of the SWAPO Central Committee and is also Vice-President of the Commonwealth Parliamentary Association, Namibia branch. He graduated with a PhD in Divinity from Wartburg Theological Seminary, USA. He was a member of the Commonwealth Observer Group to Kenya in 1993.

***Mrs Ruth Mokobi (Botswana)***

Mrs Ruth Mokobi is a member of the Central Committee of the Botswana Democratic Party (BDP) and General Secretary of its Women's Wing. She is also a Regional Co-ordinator of the Botswana YWCA. In the past she has *inter alia* served as a BDP Councillor in Gaborone (1983–84), after beginning her career in 1967 as a schoolteacher. She has studied in Botswana, Lesotho and Britain. She has travelled widely in Africa, North and South America.

***Rev Wavel J C Ramkalawan (Seychelles)***

Rev Wavel Ramkalawan has been leader of the Parti Seselwa, in the Seychelles since 1991, and a Member of the Seychelles National Assembly since 1993. Ordained Deacon in 1984 and Priest in 1985, he served as a Member of the Seychelles Board of Church Commissioners 1985–94 and as Provincial Ecclesiastical Secretary 1986–94. He was educated at St Paul's Theological College, Mauritius, and undertook postgraduate studies at Birmingham University, Britain.

***Mr S K Singh (India)***

Mr S K Singh was in the Indian Diplomatic Service from 1954 to 1990. He retired as the Foreign Secretary of India. Before that he has served as Ambassador to Lebanon, Jordan, Cyprus, Afghanistan, Austria, and Pakistan. He was also India's Permanent Representative to the United Nations in Vienna and Governor for India on the Board of Governors of the International Atomic Energy Agency from 1982–85. He studied History at the Agra University and Trinity College, Cambridge. He was also a Visiting Professor at the Jawaharlal Nehru University. He was a member of the Commonwealth Observer Group to Kenya in 1992, to Lesotho in 1993, and of the Commonwealth Observer Group to South Africa in 1994.

***Mr Nicholas Tall (Australia)***

Mr Nicholas Tall is Electoral Officer for Tasmania in Australia and has worked for the Australian Electoral Commission for the past thirty-three years, during which time he has been involved in electoral administration and conduct of elections at the National, State and Local government levels. He participated in the mission to observe elections in Namibia in 1989 and, most recently, was a member of the United Nations Observer Group in South Africa.

***The Hon Hugh Templeton (New Zealand)***

The Hon Hugh Templeton is a former Minister of Trade and Industry, having held the post from 1981–84. He was a Cabinet member from 1975–84, holding posts with responsibility for Posts, Broadcasting, Customs and Inland Revenue, as well as being Deputy Finance Minister. A Rhodes Scholar, he initially joined the New Zealand Foreign Service, serving in London, South East Asia, Western Samoa and New York. In 1992 he was the New Zealand Prime Minister's Special Representative to Russia and the CIS. Now a business consultant, amongst other public appointments he is a Director of the Institute of Social Research and Development, Chairman of the Pacific Development and Conservation Trust, and honorary Vice-President of the Institute of International Affairs. Most recently he was a member of the Commonwealth Observer Group to South Africa. He has degrees in history from the Universities of Otago and Oxford.

***Ms Judy Thompson (Canada)***

Ms Judy Thompson is an election administrator from Canada who was with Elections Manitoba for several years. She chaired a National Committee to develop education initiatives for first-time voters and was instrumental in developing information materials and programmes for the illiterate, the homeless, native Canadians, the disabled and new Canadians. She served with the United Nations in Cambodia as Deputy Chief Electoral Officer for Education and Training. She has just completed a four-month assignment in South Africa where she worked on training programmes with the Independent Electoral Commission.

**SECRETARIAT SUPPORT STAFF**

Mr Carl Dundas, Team Leader

Mr Amitav Banerji, Deputy Team Leader

Ms Cheryl Dorall, Media Adviser

Mr Dominic Sankey, Assistant to Observers

Mr John Saddington, Assistant to Observers

Mr Larry Mbazima, Administration Officer

Ms Zippy Ojago, Deputy Administration Officer/Secretary

**ANNEX II**

Press Release of 4 May 1994



Parliamentary and Presidential Elections in Malawi

**Commonwealth Observer Group***News Release*

94/18

4 May 1994

**COMMONWEALTH TO OBSERVE MALAWI PRESIDENTIAL AND  
PARLIAMENTARY ELECTIONS**

A team of eleven Commonwealth Observers, together with support staff from the Commonwealth Secretariat, will be present in Malawi for the forthcoming Presidential and Parliamentary Elections scheduled for 17 May 1994.

In making the announcement today, the Commonwealth Secretary-General, Emeka Anyaoku, recalled that in January this year, the Electoral Commission in Malawi had issued an invitation for a Commonwealth Observer Group to monitor the Presidential and Parliamentary elections in that country. A Planning Mission, which visited Malawi in March 1994 established that there was broad support across the political spectrum in Malawi for a Commonwealth presence at the elections. During recent months, the Commonwealth has also arranged five experts to assist with preparations for various aspects of the electoral process.

The Commonwealth Observer Group for Malawi will be led by **Dato' Musa Hitam**, a former Deputy Prime Minister of Malaysia. The other members of the Group are:

**Mr Vic Butler**  
Electoral Official, Britain

**Mr Derek Ingram**  
Commonwealth Journalist, Britain

**H.E. Dr T J B Jokonya**  
Permanent Representative to the United Nations in Geneva,  
Zimbabwe

**The Hon Rev Dr Zephania Kameeta**  
Deputy Speaker of Parliament, Namibia

**Ms Ruth Mokobi**

Member, Central Committee, Botswana Democratic Party,  
Botswana

**Rev Wavel Ramkalawan**

Leader, Parti Seselwa, Seychelles

**Mr S K Singh**

Former Foreign Secretary, India

**Mr Nicholas Tall**

Electoral Official, Australia

**The Hon Hugh Templeton**

Former Cabinet Minister, New Zealand

**Ms Judith Thompson**

Electoral Expert, Canada

The Group will be supported by a seven-member team from the Commonwealth Secretariat led by Mr Carl Dundas, Special Adviser in the Economic and Legal Advisory Services Division, who is a former Director of Elections of Jamaica.

**Note to Editors:** The Mission to Malawi will represent the thirteenth election observed by the Commonwealth since October 1990. These include elections in Malaysia, Bangladesh, Zambia, Seychelles, Guyana, Ghana, Kenya, Lesotho, Pakistan and most recently South Africa. These are to be seen in the context of a decision taken at the level of Commonwealth Heads of Government to support the promotion of democracy in a number of ways, including through observation, on request, of elections in member states.

**ANNEX III****Arrival Statement of 8 May 1994**

The Presidential and Parliamentary Elections in Malawi  
**The Commonwealth Observer Group**

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*News Release***ARRIVAL STATEMENT IN MALAWI BY COMMONWEALTH OBSERVER GROUP**

We are here in Malawi to observe the 17 May 1994 Presidential and Parliamentary Elections at the request of the Commonwealth Secretary-General, Chief Emeka Anyaoku, and in response to an invitation to the Commonwealth by the Electoral Commission of Malawi. All political parties in Malawi have expressed support for a Commonwealth role.

We will serve as Observers in our individual capacities and not as representatives of governments or organisations to which we may belong. Our broad task here is to observe relevant aspects of the organisation and conduct of the elections in accordance with the law of Malawi. We will consider the various factors impinging on the credibility of the electoral process as a whole and determine whether conditions exist for a free expression of will by the electors.

We have no executive role. Our function is to observe the process as a whole and form an impartial judgment on the credibility of the exercise as a whole. We may, however, make proposals designed to assist the holding of the elections, should we deem this necessary. On completion of our task, we will present a report to the Secretary-General who will make it available to the Malawi Government and the political parties taking part in the elections, and thereafter to all Commonwealth governments.

We look forward to our mission with keen anticipation. Over the next few days, we will be in touch with the Electoral Commission, the political parties, the Government and other interested groups. We will also be travelling to all parts of the country before and on polling day. We are honoured to be here to witness this historic stage in Malawi's transition to multi-party democracy.

Lilongwe  
8 May 1994

**ANNEX IV****Schedule of Engagements****Sunday 8 May 1994**

1600 hours Arrival of Commonwealth Observer Group

2000 hours Chairman's Reception  
Venue: Kankhande Room

**Monday 9 May 1994**

0830 hours Breakfast Meeting with  
Mr Michael Meadowcroft, Co-ordinator,  
Joint International Observer Group

1000 - 1200 hours Meeting with Electoral Commission  
Venue: Kankhande Room

1300 hours Accreditation Session at Electoral  
Commission

1500 hours Meeting with the Executive of the  
National Consultative Council  
Venue: NCC Headquarters

1800 hours Public Affairs Committee  
Venue: Kankhande Room

2000 hours Commonwealth High Commissioners  
Venue: Kankhande Room

**Tuesday 10 May 1994**

1000 hours Alliance for Democracy (AFORD)  
Leader of Delegation: Dr Mekki Mtewa  
(Secretary-General)  
Venue: Chairman's Suite

1000 hours Meeting with the Malawi Democratic  
Party (MDP)  
Leader of Delegation: Mr Shyley  
Khondowe  
(Secretary-General)  
Venue: Kankhande Room

1500 hours Malawi National Democratic Party  
(MNDP)  
Leader of Delegation: Mr Alex Chikumbi  
Venue: Kankhande Room

- 1630 hours Mrs Vera Chirwa  
Venue: Kankhande Room
- 1700 hours United Front for Multi-Party Democracy (UFMD)  
Leader of Delegation: Mr Kapote Mkwakasungura  
(Secretary-General)  
Venue: Kankhande Room
- 1830 hours Courtesy Call on HE Dr Hastings K Banda, President of Malawi  
Venue: New State House
- 2030 hours United Democratic Front (UDF)  
Leader of Delegation: Mr Aleke Banda (First Vice-President)  
Venue: Kankhande Room

### **Wednesday 11 May 1994**

- 0730 hours Meeting with Malawi Congress Party (MCP)  
Leader of Delegation: Prof Mkandawire (Secretary-General)  
Venue: Conference Room, Office of the President and Cabinet
- 1400 hours Malawi Democratic Union (MDU)  
Leader of Delegation: Mr Davis Stambuli (Secretary-General)  
Venue: Kankhande Room
- 1800 hours Internal Briefing Session for Observers
- 1930 hours Reception by High Commissioners

### **Thursday 12 May 1994**

Observers deploy to various Regions

**ANNEX V****Deployment of Observers in the Regions****CENTRAL REGION****Lilongwe****Capital Hotel**

Dato' Musa Hitam, Chairman  
Mr Carl Dundas  
Ms Cheryl Dorall

**Kasungu****Kasungu Inn**

Dr T Jokonya  
Mr John Saddington

**NORTHERN REGION****Karonga****Club Marina**

Mr Vic Butler  
Mr Dominic Sankey

**Mzuzu****Mzuzu Hotel**

Mr S K Singh  
Mr Hugh Templeton

**SOUTHERN REGION****Blantyre****Mt Soche Hotel**

Mr Derek Ingram  
Rev Z Kameeta  
Mr Amitav Banerji

**Zomba****Ku Chawe Inn**

Rev W Ramkalawan  
Ms Judy Thompson

**Mangochi****Nkopola Beach Club**

Ms Ruth Mokobi  
Mr Nicholas Tall

## **ANNEX VI**

### **Guidelines for Election Observation**

#### **COMMONWEALTH OBSERVER GROUP**

##### **Observation Notes for Poll and Count**

#### **PART A**

The Observers may focus particular attention on the following aspects of the conduct of the election:

##### **REGISTRATION**

1. Unqualified voters on the list.
2. Likely percentage of potential voters denied registration through early closure of rolls.
3. Procedures for voters to challenge their exclusion from the rolls.

##### **THE CAMPAIGN**

1. The extent of access to the electronic media available to all parties.
2. The procedure (if any) for the allocation of time for political broadcasts and advertisements on radio and television.
3. The extent of access enjoyed by the political parties to the print media.
4. The tone and content of political broadcasts, advertisement and posters put out by the political parties.
5. The conduct of political meetings.
6. The conduct of house to house canvassing of voters.
7. The voter education programme on radio and television conducted by the Election Commission.
8. Permits for public meetings.
9. Access to printing facilities
10. Access to funds and sources of funds.
11. Access to state services.

### **THE POLL**

1. The location of polling stations.
2. The accuracy of the Voters' List at the polling stations.
3. Distances travelled by voters to polling stations, particularly in rural areas.
4. The length of time voters wait to cast their votes.
5. The steps taken to ensure that the secrecy of the ballot is assured.
6. The performance of electoral officials at the polling station visited.
7. The procedure followed at the opening of the poll.
8. The adequacy or otherwise of facilities at polling stations and their state of readiness.
9. The incidence of loss of registration certificates.
10. The number (if any) of persons with voter registration certificates but whose names are not on the Voters' List.
11. The procedures in place to ensure proper security of ballot papers, ballot boxes and official seals.
12. The general atmosphere at the polling stations visited.
13. Availability of adequate supplies, e.g. ballot papers, Voters' List, official stamps and pads, indelible ink, etc.
14. Security of ballot papers prior to election.
15. Access of party agents to polling stations.

### **THE COUNT**

1. Inspection of seals.
2. The process of reconciling the number of people who voted with the number of ballots cast.
3. The determination of invalid ballots which are stamped "Rejected".
4. The conduct of the returning officers and their assistants.
5. The preparation for the Declaration of the Result of the Poll.
6. The facilities for candidates and their representatives to witness and verify the count.

**PART B**

Questions that may be put:

**Before Polling Day**

1. Is Voters' List full and correct? People missed out? Are there names included of dead people/people who have moved away?
2. Are electoral officials confident about arrangements? Are political parties and local notables satisfied?
3. Who are the electoral officials? How were they chosen? Are voters confident they will be impartial?
4. Is the person in the street satisfied with arrangements? Will he/she vote? If not, is he/she afraid to do so?
5. Have all parties been able to campaign freely? Has the campaign been free of intimidation, etc? Have all parties had full access to the mass media?
6. Is there freedom to advertise and distribute (posters, leaflets, etc)?
7. How will voters' IDs be checked? Will it be possible to vote twice?
8. How will those away from home or ill in bed be able to vote?

**On the day**

1. Before polling starts, are the ballot boxes empty? Are they properly sealed?
2. Are all procedures being adhered to?
3. Are all parties represented at polling stations? Are they satisfied with the process?
4. Are IDs being properly checked?
5. Are voters apparently voting freely? Are they enthusiastic? Do they talk freely? Do they exhibit signs of fear or intimidation?
6. Do voters understand procedures properly? If not, are they being explained fully and impartially? Are attempts being made to suggest how they should vote?
7. Is only one person at a time allowed into the voting booth? Does the ballot paper go straight into the sealed box?
8. How long are voters waiting to vote? If a long time, are some being put off?
9. Will all parties be represented at polling stations throughout voting and count? Are party polling agents adequately trained and vigilant?

10. Will foreign observers have free access to all stages of the process?
11. Are voters being asked suspicious questions after leaving the polling station?
12. Is the security presence oppressive?

**After Voting**

1. Are the boxes kept safe until opened? Are all parties/observers present at opening?
2. Does the number of used ballot papers tally with the record of those who have voted?
3. Are the papers counted properly? Are any valid ones being spoiled during counting, intentionally or not?

**ANNEX VII****Interim Statement of 17 May 1994**

Parliamentary and Presidential Elections in Malawi

**Commonwealth Observer Group***News Release***INTERIM STATEMENT BY THE CHAIRMAN, DATO' MUSA HITAM**

Commonwealth Observers were present at different locations in all three regions throughout Malawi before and during polling day in the Presidential and Parliamentary elections, and observed the electoral process at a large number of polling stations.

The interim conclusion reached by the Commonwealth Observer Group is that up to the close of polls, the election was conducted in a manner which provided the people of Malawi with the opportunity to vote freely for the candidates of their choice. We were impressed by their orderliness, patience and good humour despite having to queue for long hours. And in our view, the conduct of the people of Malawi on polling day demonstrated their firm commitment to a multiparty political system.

Our assessment is based not only on our observations on polling day itself but also on our careful study of the election arrangements and our random inspection, in the run-up to the election, of polling sites in many constituencies in all the regions. In examining these arrangements, we met the Electoral Commission and electoral officials, leading representatives of all political parties contesting the elections, the security services and other groups.

On polling day, we were on the scene before the opening of the poll at 6.00 a.m. in order to satisfy ourselves that the proper procedures for the opening of the poll were being applied. We spent the day making unscheduled visits to polling stations to see whether the proper procedures were being followed, observing the conduct of the poll, examining the registers, and talking to independent observers, party agents and voters. We saw no evidence of organised irregularities and received no complaints of voter intimidation on polling day. We note, however, that the complicated voting procedure slowed down the process in some areas and might have led to a number of ballots being rejected or discarded, perhaps more so in outlying areas.

In our observation, election officers acted in a professional, fair, open and transparent manner which substantially enhanced the conduct of the polls.

We wish to express our appreciation of the great efforts made by the Electoral Commission to create the conditions in which the election could genuinely reflect the democratic choice of the people of Malawi.

17 May 1994

**ANNEX VIII****Departure Statement of 20 May 1994**

Parliamentary and Presidential Elections in Malawi

**Commonwealth Observer Group***News Release*

20 May 1994

**DEPARTURE STATEMENT BY DATO' MUSA HITAM,  
CHAIRMAN OF COMMONWEALTH OBSERVER GROUP TO MALAWI**

The Commonwealth Observer Group has now concluded its mission and our members today begin leaving the country for their respective homes. Two days ago, shortly after the closing of the polls and before any results were known, we issued an Interim Statement on our assessment of the conduct of the polls. We have since deliberated upon our final report, which we will submit shortly to the Commonwealth Secretary-General, who will make it available to the Government of Malawi and the political parties here, as well as to all Commonwealth governments. However, we thought we should share at this stage with the people of Malawi the conclusions we have reached. These are as follows:

Based on our extensive pre-election discussions with a wide cross-section of Malawi society as well as our observation around the country both of the campaign and of the voting and counting process, our conclusions can be summarised as follows:

- For the people of Malawi, 17 May 1994 marked an exuberant national celebration of their new-found right to make choices within a framework of multi-party democracy. The high turnout recorded and the patience and enthusiasm displayed by voters reflects a firm commitment to a multi-party system of politics which has already taken root;
- The Malawian people were able to exercise their will in an open and transparent manner;
- The results of the elections reflected the expressed wishes of the people of Malawi.
- Notwithstanding deficiencies in the civic education exercise and instances of incorrect voting procedures being followed, the electorate demonstrated a clear awareness of their democratic duties and knowledge of voting procedures;

- The Electoral Commission and all electoral officials generally displayed professionalism, dedication and commitment to their task, as well as honesty and transparency, all of which substantially enhanced the conduct of the polls;
- Voting took place in an atmosphere marked by orderliness and good humour among voters and party agents, mirroring, by and large, the spirit of the campaign;
- There was no evidence of any organised irregularities on polling day; nor were there any complaints of voter intimidation, fraud or deliberate disenfranchisement;
- There were obvious difficulties in the process of consolidation of results following the poll. This was the result of a mix of factors, including exhaustion of counting officials after a laborious counting process and difficulties of transport between Polling Centres and District Commissioners' offices;

We were impressed by the dignity with which the incumbent President, His Excellency Dr Hastings Kamuzu Banda, accepted the verdict of the people and conceded to the winning candidate, Mr Bakili Muluzi.

We congratulate the people of Malawi for the admirable manner in which they have espoused pluralism in their political system. It has been a pleasure and honour for us to share with them this momentous experience. We wish them well. We hope that they will continue to look to the future with a sense of vision and a resolve for national reconciliation. We trust that the historic achievements of the past twelve months will be successfully consolidated.

Finally, we wish to extend warm congratulations to the President designate, Mr Bakili Muluzi, and convey to him our best wishes as he prepares to embark upon his new responsibilities.

ANNEX IX

Party Symbols



**CHISANKHO CHA  
APHUNGU A NYUMBA  
YA MALAMULO NDI  
CHA PULEZIDENTI**

**ZIZINDIKIRO ZA ZIPANI**

ALLIANCE FOR DEMOCRACY



**AFORD**

CONGRESS FOR THE SECOND  
REPUBLIC OF MALAWI



**CSR**

MALAWI  
CONGRESS PARTY



**MCP**

MALAWI  
DEMOCRATIC PARTY



**MDP**

**19**

MALAWI DEMOCRATIC UNION



**MDU**

**94**

MALAWI NATIONAL  
DEMOCRATIC PARTY



**MNDP**

UNITED DEMOCRATIC FRONT



**UDF**

UNITED FRONT for  
MULTIPARTY DEMOCRACY



**UFMD**

# ANNEX X

## Sample Ballot Paper

Parliamentary Election 1994

**Candidate Name**



**AFORD**

Constituency Name

Parliamentary Election 1994

**Candidate Name**



**CSR**

Constituency Name

Parliamentary Election 1994

**Candidate Name**



**MCP**

Constituency Name

Parliamentary Election 1994

**Candidate Name**



**MDP**

Constituency Name

Parliamentary Election 1994

**Candidate Name**



**MDU**

Constituency Name

Parliamentary Election 1994

**Candidate Name**



**MNDP**

Constituency Name

Parliamentary Election 1994

**Candidate Name**



**UDF**

Constituency Name

Parliamentary Election 1994

**Candidate Name**



**UFMD**

Constituency Name

## ANNEX XI

## Distribution of Constituencies by District

NAME OF DISTRICT	NUMBER OF CONSTITUENCIES	NUMBER OF CENTERS	REGISTERED VOTERS	POPULATION 18 & OVER	% OF REG. VOTERS	TOTAL POPULATION	REFERENDUM VOTERS
BLANTYRE	10	120	265738	364407	72.92	729189	230408
CHIKHAWA	6	81	121237	184778	65.61	391770	106873
CHIRADZULU	5	54	98718	126243	78.20	260879	82572
CHITIPA	5	73	53455	52397	102.02	119725	41073
DEDZA	8	129	182705	236869	77.13	509343	139440
DOMA	7	86	147790	189099	78.15	398819	139732
KARONGA	5	77	84428	85938	98.24	183080	65376
KASUNGU	9	109	180293	200791	89.79	400082	179542
LILONGWE	17	250	457097	577241	79.19	1207999	384790
MACHINGA	10	142	258630	306838	84.29	637336	201239
MANGOCHI	10	118	256037	306328	83.58	614222	201319
MCHINJI	6	77	124738	147990	84.29	309033	116425
MULANJE	11	138	256983	371869	69.11	789225	191366
MWANZA	4	59	49141	68787	71.44	150301	41525
MZIMBA	12	254	272807	257543	105.93	536443	134362
NKHATABAY	7	66	72050	82579	87.25	171165	60211
NKHOTAKOTA	5	80	87725	95967	91.41	195486	79336
NSANJE	5	67	71275	119906	59.44	252792	58853
NTCHEU	7	108	129915	205218	63.31	443762	100971
NTCHISI	4	65	56837	69642	81.61	149493	52053
RUMPHI	4	65	62267	59662	104.37	117385	51542
SALIMA	5	51	92885	115420	80.48	233990	76592
THYOLO	7	90	174309	253491	68.76	534539	153485
ZOMBA	8	124	215495	270139	79.77	546238	170731
WHOLE MALAWI	177	2483	3772555	4749142	79.44	9882296	3061816
NORTHERN	33	535	545007	538119	101.28	1127798	352564
CENTRAL	68	955	1459985	1838237	79.42	3848007	1270881
SOUTHERN	76	993	1767563	2372786	74.49	4906491	1438371

*ANNEX XII*

**Civic Education Poster**



ANNEX XIII

Poster on Voting Procedure

**17<sup>th</sup> MAY 1994**

**PARLIAMENTARY AND PRESIDENTIAL ELECTIONS**

**1** STAND ON THE QUEUE. SHOW YOUR REGISTRATION CERTIFICATE TO THE OFFICIALS.

**2** DIP YOUR INDEX FINGER INTO THE INDELIBILE INK.

**3** RECEIVE SYMBOLS OF THE CANDIDATES AND AN ENVELOPE.

**4** GO INTO THE POLLING BOOTH.

**5** CHOOSE THE SYMBOL OF YOUR CANDIDATE AND PUT IT IN AN ENVELOPE. SEAL THE ENVELOPE.

**6** THROW THE REST INTO A DUST BIN.

**7** COME OUT WITH YOUR SEALED ENVELOPE.

**8** CAST YOUR VOTE INTO THE BALLOT BOX.

**9** AT THIS POINT YOU HAVE VOTED FOR YOUR MEMBER OF PARLIAMENT. NOW TO VOTE FOR YOUR PRESIDENT. SHOW THE OFFICIALS THE FINGER WITH THE INDELIBILE INK AND YOUR LEFT HAND.

**10** DIP YOUR LEFT INDEX FINGER INTO THE INDELIBILE INK.

**11** RECEIVE SYMBOLS OF THE CANDIDATES AND AN ENVELOPE.

**12** GO INTO THE SECOND POLLING BOOTH.

**13** CHOOSE THE SYMBOL OF YOUR PRESIDENTIAL CANDIDATE. PLACE IT IN AN ENVELOPE AND SEAL THE ENVELOPE.

**14** THROW THE REST IN A DUST BIN.

**15** COME OUT.

**16** CAST YOUR VOTE.

**17** THE NEXT VOTER CAN NOW TAKE HIS TURN.

## ANNEX XIV

### Electoral Commission Guidelines for Media Coverage

#### Malawi Electoral Commission

##### Procedures for media coverage of Parliamentary and Presidential elections

###### PURPOSE

These Procedures apply to electronic media (the Malawi Broadcasting Corporation in particular) and in specified instances to the Press. Their purpose is to ensure that full and fair coverage is given, without censorship, to the campaigns of all registered political Parties during the period of campaigning and up to the close of the poll in Parliamentary and Presidential elections.

The purpose of the procedures is also to ensure that the media provide the public with the necessary programme of civic education and information on every relevant aspect of the electoral process and on each citizen's electoral rights. Such support for the electoral system by publicly-owned media is at the heart of democracy.

The procedures are based upon the authority given to the Electoral Commission and the Parliamentary and Presidential Elections Act 1993.

###### Section 1 NEWS COVERAGE

###### Section 2 ELECTION EDUCATION AND INFORMATION PROGRAMME

###### Section 3 PARTY POLITICAL BROADCASTS (DIRECT/FREE ACCESS)

###### Section 4 OPINION POLLS

###### Section 5 MONITORING OF COVERAGE

###### Section 6 COMPLAINTS PROCEDURE

##### 1 NEWS AND CURRENT AFFAIRS COVERAGE

###### 1.1

Publicly-owned media (this currently refers exclusively to the Malawi Broadcasting Corporation) are required to provide fair and balanced reporting of the campaigns, policies, meetings, rallies and press conferences of all registered political Parties during the period of campaigning and thereafter to provide news of the electoral process up to the close of poll.

###### 1.2

This duty also requires the broadcasters to devise, by arrangement with the Parties, a range of special election programmes - public debates, interviews with Party leaders and phone-in debates in which all registered political Parties are given equitable treatment and in which the same editorial balance and fair dealing apply as in news bulletins and news reports.

## 1.3

The debates will be organised in the following way:

The Election Commission and the Malawi Broadcasting Corporation will arrange a series of six debates with the registered political Parties; two in Mzuzu, two in Lilongwe and two in Blantyre with all eight Parties represented in one or other of the programmes in each City. Each debate will have a moderator, two journalists and four of the eight political parties. The party participants for each debate will be determined by a rotational method.

Dates are to be arranged.

The debates will be a ticketed event in each of the cities, and the venue will hold 200 people. Community organizations, Churches and Mosques will be given 100 tickets. The four political parties participating in the debate will each be given 25 tickets.

The debate questions will be determined by the six journalist-panelists. The questions will differ for each debate, but each question will have equal weight and importance on a major issue facing Malawi.

Each party will be given 1'30" to respond to each question from the journalists. At the moderator's discretion, a party can be given 30 seconds to respond to a direct challenge by an opposing party.

The debate will not be edited for content unless there is a violation of the Code of Conduct by any of the participants. The approximate debate format will be:

Introduction	Moderator	3 Minutes	
Question 1	Journalist 1	1 Minute	
Answer 1	Four Parties	6 Minutes	
Question 2	Journalist 2	1 Minute	
Answer 2	Four Parties	6 Minutes	
Question 3	Journalist 1	1 Minute	
Answer 3	Four Parties	6 Minutes	
Question 4	Journalist 2	1 Minute	
Answer 4	Four Parties	6 Minutes	
Question 5	Journalist 1	1 Minute	
Answer 5	Four Parties	6 Minutes	
Closing	Four Parties	8 Minutes	
Closing	Moderator	1 Minute	TOTAL: 47 Minutes

Each programme will be given two transmissions at the weekend following each recording.

**1.4**

The editorial responsibility for the maintenance of balance and equitable coverage by the Malawi Broadcasting Corporation rests with the Head of News. In this respect he is responsible to the Electoral Commission. (See complaints procedure section 5 below).

**1.5**

Party Press Conferences will be reported on by MBC in their normal news programmes. The continuous recordings currently broadcast will be replaced by the range of special election programmes,

- a. Debates (see 1.3)
- b. Phone-ins
- c. a series of Meet Your Candidate face to face interviews in which Party leaders will be invited to explain their political philosophy and plans in a 30 minute conversation each.
- d. Party Political Broadcast (see 3.1 - 3.10 and Schedule).

**1.6**

MBC must scrutinize all material for broadcast during the period up to the close of poll to ensure that no Party uses general programmes (other than recognised direct access Party Political Broadcasts, specific election news coverage or special election programmes) to promote its electoral interests.

**1.7**

MBC staff, as public service broadcasters, may not broadcast their own political opinions. Any commentaries or assessments must be clearly identified as such and carefully balanced to avoid bias.

**1.8**

In this context, newspapers are also required to identify editorial comment to separate it from news.

**2 ELECTION EDUCATION AND INFORMATION****2.1**

Publicly-owned media are required, through-out the election campaign and up to the close of poll, to provide education and information on the electoral process designed to ensure a maximum poll by a well-informed electorate.

**2.2**

This duty also requires newspapers to take positive steps to inform their readers about their electoral rights and to make a vigorous contribution to the public education programme.

**2.3**

Such informational and educational programmes and material, whether broadcast or published in a newspaper, may not contain any material intended to further the electoral prospects of any Party contesting the election.

#### 2.4

The number, duration and frequency of such broadcasts may be negotiated between the production agencies and the MBC, always providing that the resulting service meets the goals envisaged by the Electoral Commission

### 3 PARTY POLITICAL BROADCASTS (DIRECT/FREE ACCESS)

#### 3.1

The broadcasters are required to provide each registered political Party with a series of broadcast time-slots of an equal number, frequency, maximum duration and equitable time placement (see schedule below). At these times each political Party may broadcast pre-recorded programmes, in a language of their choice, free of MBC or any other outside editorial control (subject to the conditions and monitoring mechanisms set out in section 5 below).

#### 3.2

The decisions about the duration, time placement and frequency of Party Political Broadcasts rests with the Electoral Commission. Time placements will include an equal variety of time-slots in the broadcasting day including prime time.

#### 3.3

Such programmes must be recorded to professional standards. Equal free studio production and editing time will be provided each week at MBC for those Parties wishing to take advantage of it. The programmes will be recorded under the editorial control of the Party representatives delegated to produce the programme. Programmes may be made at professional studios outside MBC if any Party so wishes. This would be at the expense of that Party. MBC will reserve the right to assess the technical standard of any material recorded elsewhere and brought to the studio by the Party concerned. If any such material fails to meet the MBC's required technical standard it may not be included in the programme.

#### 3.4

A member or members of the Electoral Commission will attend the recording of all those Party Political Broadcasts which are recorded at MBC to ensure that the producing Party has been given equal treatment and resources. The Commission member's role is to ensure that the programme to be broadcast conforms with these procedures and that there is no legal objection to its broadcast. If material or a complete programme submitted by a Party for transmission does not meet the technical standards, it will not be accepted for broadcast.

#### 3.5

Such programmes may not exceed the agreed maximum duration. MBC is not permitted to broadcast any programme which exceeds the limit set. MBC must give the Party concerned the opportunity within the production period allocated to edit any such programme down to the maximum duration allowed. MBC may not take upon itself the decision to make any cut in a Party Political Broadcast for any

reason. Any such decision can only be made by the Party concerned or on the specific instruction of the Electoral Commission. The Commission will take no such decision unless it decides that the programme is in breach of either the Law or these procedures.

### 3.6

Such programmes, being free of editorial control or censorship, other than by the individual Parties making them, must nevertheless avoid incitement to public disorder, violence or war and meet the CODE OF CONDUCT. This restriction applies equally to broadcasting and newspapers.

### 3.7

**PARTY POLITICAL BROADCASTS**, set out in the schedule below, may be used at each Party's discretion as **PRESIDENTIAL CANDIDATE BROADCASTS**. Only in the case of independent Presidential Candidates being registered will there be an allocation of specific broadcast time for those independent Presidential candidates. That allocation will be decided by the Electoral Commission following the close of Presidential candidate nominations.

### 3.8

No Party is allowed to buy air-time on MBC during the period up to the close of poll.

### 3.9

Completed programmes ready for transmission must be handed over to MBC at the end of the scheduled production time in each case. No programme may be released until after its final transmission. If however a Party wishes to withdraw their programme in the course of a week, it may do so but will not be allowed to replace it until the following week's scheduled transmission.

Programmes made outside MBC must be handed in at MBC at the production time allotted to that Party so that the Electoral Commission representative on duty at that time can listen to it with the Party's representative to confirm that it falls within the Electoral Law. An MBC Engineer will be present to confirm that the programme meets the necessary technical standard.

### 3.10

No Party Political Broadcast, related to the Elections taking place on 17th May, may be transmitted after 6am on Sunday 15th May 1994.

Party Political Broadcasts must take account of the limitations on the use of OPINION POLLS set out in section 4.1 below.

#### SCHEDULE OF PARTY POLITICAL BROADCASTS

The number of such broadcasts available to each Party over an eight week will be 12.

These will be recorded at weekly production sessions and transmitted at the frequency set out below in the course of the following week.

Each Party will be offered the following in the eight-week period Sunday March 20<sup>th</sup> 1994 - Saturday May 14<sup>th</sup> 1994

Week 1.	1 programme / 2 minutes / 5 times per day / 7 days per week
Week 2.	1 programme / 2 minutes / 5 times per day / 7 days per week
Week 3.	1 programme / 2 minutes / 5 times per day / 7 days per week
Week 4.	1 programme / 2 minutes / 5 times per day / 7 days per week
Week 5.	1 programme / 3 minutes / 3 times per day / 7 days per week 1 programme / 1 minute / 3 times per day / 7 days per week
Week 6.	1 programme / 3 minutes / 3 times per day / 7 days per week 1 programme / 1 minute / 3 times per day / 7 days per week
Week 7.	1 programme / 4 minutes / 2 times per day / 7 days per week 1 programme / 1 minute / 4 times per day / 7 days per week
Week 8.	1 programme / 4 minutes / 2 times per day / 7 days per week 1 programme / 1 minute / 4 times per day / 7 days per week
Totals	12 programmes per Party. Combined total of 26 minutes recorded material per Party. 10hours 16minutes transmission time per Party. 308 transmissions per Party.

#### 4 OPINION POLLS

##### 4.1

The result of Opinion Polls must be used by all media with great care. The results should only be broadcast or published if there is reason to believe that they are statistically sound. In any case, all relevant information must be broadcast/ published including identification of the organisation that conducted the poll, the Party or other organisation that commissioned and paid for the Poll, the methodology, the sample size and location of the survey, its date and margin of error. This care must be exercised by Newspapers too.

##### 4.2

Opinion Polls may not be published or broadcast after the period of campaigning i.e. during the 48 hours from that point until the close of poll.

## 5 MONITORING OF ELECTION COVERAGE

### 5.1

MBC must maintain full records of all news bulletins and recordings of all other programmes related to the election, including Party Political Broadcasts. They must institute a close and meticulous monitoring system to ensure balance throughout the campaign and up to the close of poll.

### 5.2

MBC must be prepared to provide the Electoral Commission at any reasonable time with all such records, information and recordings as the Commission may require to fulfil its monitoring role. Newspapers may be required to provide the possibility for the Commission to inspect back copies in the event of a complaint.

## 6 COMPLAINTS PROCEDURE

### 6.1

Any candidate or Party making a reasoned complaint of unfair treatment or coverage in the course of the election campaign, should send it in writing to the Commission. Any complainant asking the Head of News at MBC or the Editor of a newspaper to correct a mistake should send a copy to the Electoral Commission. These professional journalists, working to these procedures, will respond to those complaints appropriately, but will in any case report all such complaints to the Electoral Commission.

### 6.2

Where, in the case of either MBC or a newspaper, a right of reply is necessary, a retraction or the correction of a matter of significance, such a response will be placed in a position of equal prominence and given comparable space or time.

### 6.3

In the event of an unresolved dispute over a complaint of unfair media coverage, the Electoral Commission will be the final arbiter.



Justice Mrs Msosa, Chair

MALAWI ELECTORAL COMMISSION

8th MARCH 1994

## ANNEX XV

## Electoral Commission Code of Conduct for Political Parties



# PARLIAMENTARY AND PRESIDENTIAL ELECTIONS

## CODE OF CONDUCT

### Political Parties and Independent Candidates :

- Must co-operate with the Electoral Commission.
- Should respect the rights of others and law enforcing agencies.
- Should use acceptable language.
- Should not disrupt other parties' or independent candidates' campaigns.
- Should not induce people to do things against their will.
- Should not bribe voters.
- Must not campaign in prohibited places like Police Stations, Military Units, public offices during working hours and schools during classes.

**ANNEX XVI****Interim Report of the Electoral Commission of 17 April 1994**

April 17, 1994

**ELECTORAL COMMISSION REPORT ON ELECTORAL LAW VIOLATIONS**

The Electoral Commission has gathered evidence of several kinds of Electoral Law violations since voter registration began on March 12, 1994. The Commission has referred some of the cases to the Police for prosecution. The Commission reminds all citizens to behave in accordance with the Electoral Law and the campaign Code of Conduct.

MCP functionaries are responsible for a major Electoral Law violation - seizing or buying voter registration certificates -- according to evidence gathered by the Commission. Seizure and purchase of certificates has occurred in Thyolo. Additional reports of these practices have been received from Lilongwe, Mulanji, Chiradzulu, Machinga, Mangochi, Nkhota-kota, Ntcheu, Mchinji and Mzimba.

The main culprits in voter certificate snatching are chiefs, village headmen and MCP functionaries. In some cases, voters have been told to surrender their certificates and then to come to a central location on election day to retrieve them, so that everyone votes for the same candidate. In other cases, voter certificates have simply been taken without promise of return.

There has also been one incident reported of voter certificate buying in Rumphu for the sake of securing the election of the MNDP presidential candidate. An AFORD functionary in Nkhota-kota was apprehended while attempting to seize registration certificates. One of

the Commission's Registration officers was caught by party monitors passing on illegally completed registration certificates to her husband who is a known UDF supporter. This matter is in the hands of the police.

Political parties have the right to keep a record of their members. This right does not legitimise the seizure or purchase of voter certificates. Such actions are clearly breaches of the law and will not be tolerated. The Commission issued a previous statement condemning these practices, and warns that those involved in it are subject to prosecution.

Campaign violence, intimidation and other major Electoral Law violations, have been noted in several Districts. "Tit-for-tat" campaign meeting disruptions -- resulting in a number of injuries -- have occurred between UDF and MCP in Nsanje, Chikwawa, Lilongwe, Kasungu, Mchinji and Nkhota-kota. The MCP has used Nyau to intimidate people to join campaign rallies or to disturb meetings by other parties. UDF functionaries have organized singing party slogans and throwing stones at opponents' meetings.

The Electoral Commission have received ample evidence of intimidation of village officials by MCP. Chief Kalolo in Lilongwe was visited by MCP functionaries to order her to stop allowing opposition meetings in her area. Chief Tengani in Nsanje has threatened his village headmen with deposition if they do not comply with MCP demands. Similar complaints have been received concerning the village headman Juma in Salima and a chief in Dedza.

The Electoral Commission will continue to gather evidence of any violations of the Electoral Law, to publicize such violations and to refer them for prosecution.

**ANNEX XVII****Interim Report of JIOG of 18 April 1994****11am MONDAY 18 APRIL 1994**

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The Joint International Observer Group (JIOG) which is monitoring the electoral process in Malawi, publishes its Interim Report, based on reports from thirty observers, from eleven different countries, who between them visited 31% of the Registration Centres - 763 of the 2451 centres - and investigated every complaint drawn to their attention.

The Joint International Observer Group reports as follows:

The final total of Malawian citizens registered to vote is roughly equivalent to the actual number of separate registrations for last year's referendum, taking into account the 18 to 21 year olds, and, at almost 80% of the projected maximum, is a respectable figure.

There were a number of flaws in the registration process and administration, including a lack of plastic envelopes and of transfer certificates at a number of centres, but these did not detract significantly from the efficiency of the administrative process.

The unexpected initial reluctance to register on the part of the majority of citizens, coupled with the extremely slow start of the civic education programme, jeopardised the whole process, which was only rescued by the two week extension.

The JIOG believes that the prohibition by the Inspector-General on police officers registering contravenes the electoral law and that ways should still be found for those officers to register and vote who wish to do so. The JIOG is also concerned that the initial ban on military personnel registering inhibited them from registering in numbers even when the ban was lifted.

The JIOG has noted particularly the efforts of the Electoral Commission to deal with the many problems connected with the early stages of the electoral process and it commends the Mrs Justice Msoa and the Commissioners for their forthright stand on the issue of the registration of members of the

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security forces. The JIOG also commends the admirable public statements of the Commission on the issues of violence and intimidation. It notes, however, that instances of coercion and inducement are still being reported to Observers and asks that the Commission considers what further action is now required.

All the reports from the Observers have been carefully logged, their investigations into complaints and allegations have been analysed, and their findings passed on to the appropriate authorities for action. The JIOG is entirely independent and non-partisan, as is UNEAS itself, and it has looked at all the Observers' reports and investigations impartially. It will deal with and report incidents involving all parties. It notes that there are reported and confirmed instances of actions by a number of parties contrary to the Electoral Commission's Code of Conduct.

There are a number of disturbing and substantiated reports of intimidation and of actual violence, including beatings, stoning of vehicles, attempts to disrupt meetings, and to close businesses. Observers' reports, these have, for instance, been carried out by supporters of MCP in Kasungu and by UDF supporters at a meeting in Nkhoskhota of the MCP Vice Presidential candidate. Other reported cases are currently being investigated.

The Observers' main criticism is reserved for those who have apparently tried to manipulate the registration process for party benefit. International Observers have found evidence of intimidation, bribery and the misuse of official positions, such as that of Government Minister, Member of Parliament, Chief and Village Headman.

Although intimidation, violent action and financial inducements were not confined to any one political party, the evidence from the Observers is that it has come more often from supporters of the Malawi Congress Party. If a party misuses funds, or its access to goods in kind, to gain support illegally, it is a serious offence, under Section 115 of the electoral law which deals, among other things, with attempts to coerce or induce an elector to change his or her voting intention.

Reports from International Observers also provide evidence that a Government Minister has on occasion misused his or her office, for instance, induced students to participate in pro-MCP activities, and to interfere with the registration process. There is also evidence that a MP

and his family in the Northern Region originally registered at two separate centres. It is also apparent that Ministers have not always clearly differentiated between their official Government duties and their political role and have used the civil service apparatus, including the presence of DCs, when campaigning in support of their candidature, or that of a colleague.

We note that the Commission has already expressed its concern on some aspects of the involvement in the electoral process of the traditional authorities. Chiefs and Village Headmen rightly have considerable respect and influence by virtue of their position. To maintain that traditional respect and influence in a multi-party political system requires that they do not use, nor threaten to use, their powers in order to secure support for a party which would presumably contravene Section 115 (c) clauses (ix) and (x) of the electoral law. Observers have reported cases where meetings for one or other party have been effectively blocked by traditional authorities. Also, in a number of cases Registration Certificates have been confiscated by Chiefs or Village Headmen. These certificates must all be returned to their owners.

There are also confirmed reports of Nyau dancers performing at places and at times when their presence is seen as support for the MCP, particularly when they are remunerated by MCP supporters. The JIOG acknowledges that this is a delicate matter in which a careful line must be drawn between genuine involvement in the campaigning process to the benefit of the whole community, and political use to inhibit support and activity for one party or another. A country's culture is, of course, important, which is why it must not be misused and cheapened by being made partisan.

The JIOG is also concerned that the last minute availability of nomination papers caused difficulties for some parties and some candidates. We note, however, that the Electoral Commission was aware of the problem and made appropriate provision for those it believed were genuinely disadvantaged. There was some Observer concern about the content and administration of the English test for prospective candidates and whether it was a satisfactory means of ensuring compliance with the electoral law.

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The JIOG is relieved that the agreed amendments to the electoral law have now been made, even if somewhat belatedly, thus regularising a situation that could have embarrassed the Electoral Commission which requested them in January.

This may appear to be an unhappy catalogue but it must be put into perspective. Though inevitably attention is rightly drawn to the specific problems encountered, the majority of the country has got on quietly with registration and the majority of party meetings have taken place in attentive, enthusiastic and peaceful conditions. No area of Malawi - North, Central or South - can be a "no go" area for any party, whatever another party's apparent dominance in that area. All must be able to campaign freely in every district.

Observers noted also that the civic education programme is now involving a number of key NGOs in a co-ordinated campaign. It is vital that every means be used to reach voters in the rural areas in their own languages with highly practical instruction on the voting process which will be followed on polling day.

There is every prospect that the elections on 17 May will reflect the free choice of the Malawian people but the JIOG stresses the importance of bringing to an end all those practices by which parties seek to obtain an unfair advantage and which could undermine the electoral process.

The Joint International Observer Group wishes to thank the Electoral Commission, all the officials, the parties and the Malawian people who have demonstrated the traditional warm, friendly and generous Malawian welcome to visitors. All the Observers have enjoyed - and are enjoying - the privilege of participating in these vitally important elections. The Joint International Observer Group will continue to monitor the election campaign and is preparing to deploy a substantial team of observers before, during and after polling day.

15th April 1994