



PRELIMINARY STATEMENT

BY

**HONOURABLE THEMBA NHLANGANISO MASUKU,
FORMER DEPUTY PRIME MINISTER OF THE
KINGDOM OF ESWATINI**

AND

**HEAD OF THE SADC ELECTORAL OBSERVATION
MISSION (SEOM)**

TO

**THE 2025 GENERAL ELECTION OF THE REPUBLIC OF
MALAWI**

LILONGWE, 18TH SEPTEMBER 2025

Distinguished Members of the Southern African Development Community (SADC) Organ-Troika;

His Excellency Hailemariam Desalegn Boshe, Head of the African Union Election Observation Mission (AUEOM)/COMESA;

His Excellency, Mr. Elias Mpedi Magosi, the Executive Secretary of SADC;

Distinguished Members of the SADC Electoral Advisory Council (SEAC);

Honourable Lindiwe Daphney Zulu, Head of the African Centre for Governance Election Observation Mission;

Honourable Justice Barnabas Nyamadzabo, Head of the Electoral Commissions Forum (ECF) Election Observation Mission;

Ms. Lucia Annunziata, Head of the European Union Election Observation Mission;

Her Excellency Rebecca Adda-Dontoh, United Nations Resident Coordinator in the Republic of Malawi;

Other Distinguished Representatives of International Electoral Observation Missions;

Distinguished Representatives of the Government of the Republic of Malawi;

Chairperson and Representatives of the Malawi Election Commission (MEC);

Your Excellencies, Heads and Representatives of the Diplomatic Missions Accredited to the Republic of Malawi;

SADC Election Observers;

Representatives of Local Election Observers;

Representatives of Political Parties and Independent Candidates;

Religious Leaders Present;

Members of the Civil Society Organisations;

Partners from the Media;

Distinguished Guests;

Ladies and Gentlemen.

I. INTRODUCTION

On behalf of the Southern African Development Community (SADC) and as mandated by His Majesty King Mswati III of the Kingdom of Eswatini in his capacity as the In-coming Chairperson of the SADC Organ on Politics, Defence and Security Cooperation, it is my honour to welcome you to this important event of the release of the Preliminary Statement of the SADC Electoral Observation Mission (SEOM) on the conduct of the 16 September 2025 General Election in the Republic of Malawi.

The SEOM comprised eighty (80) personnel drawn from nine (09) Member States, namely: the Republic of Botswana, the Kingdom of Eswatini, the Kingdom of Lesotho, the Republic of Mozambique, the Republic of Namibia, the Republic of South Africa, the United Republic of Tanzania, the Republic of Zambia, and the Republic of Zimbabwe.

The Mission observed the General Election in all 28 Districts of the Republic of Malawi, from 10 to 17 September 2025.

The Mission observed the 2025 General Election of the Republic of Malawi, in line with the *Revised SADC Principles and Guidelines Governing Democratic Elections* (2021), hereinafter referred to as the *SADC Principles and Guidelines*, and the country's Constitution, Electoral Commission Act Chapter 2:03, and the Presidential, Parliamentary and Local Government Elections Act No.10 of 2023. The *SADC Principles and Guidelines* provide an objective and scientific methodology for observing elections and contributing to the consolidation of democracy in the Region by enhancing best electoral practices and recommending how to address any electoral shortcomings or challenges. The *SADC Principles and Guidelines* are also informed by critical instruments of the African Union, such as the African Charter on Democracy, Elections and Governance (2007), and relevant Conventions of the United Nations.

This Preliminary Report covers the Mission's observation of the pre-election, election and post-election processes. The final report will be issued later and include our observations of the post-election processes, including the results management, announcement processes and consequential matters.

II. SUMMARY OF KEY FINDINGS

The SEOM engaged with the following stakeholders:

- (i) Representatives of the Government of the Republic of Malawi;
- (ii) The Malawi Electoral Commission (MEC);

- (iii) SADC Ambassadors, High Commissioners and other Diplomatic Missions accredited to the Republic of Malawi;
- (iv) The Malawi Police Service (MPS);
- (v) Political Parties;
- (vi) Faith-Based Organisations;
- (vii) Civil Society Organisations; and
- (viii) Media Organisations;

The stakeholders were consulted in order to gather information on the electoral process. The SEOM observed the following:

(i) The Political and Security Environment

The interactions with stakeholders provided an opportunity for the SEOM to understand the prevailing political environment and security situation in Malawi. Most stakeholders with whom the Mission engaged indicated that the political and security environment was generally calm and peaceful without violence or intimidation before, during, and immediately after the election. The Mission observed free and peaceful campaign activities by political parties and independent candidates.

The Mission observed the presence of security service members during campaign activities in most areas. Peace prevailed even in areas where the security services were not visible. This aligned with the *SADC Principles and Guidelines*, which require Member States to ensure a peaceful environment for the holding of elections.

However, the Mission noted with concern reports of isolated pre-election incidents of tensions and pockets of political violence in some Districts, such as Kasungu, Mangochi and Nkhonkhotakota. Some stakeholders raised concerns about the alleged selective

manner in which the Malawi Police Service have dealt with reported cases of political violence in the period before the deployment of our Mission.

(ii) Management of the Electoral Process

With the exception of a few political parties, most stakeholders expressed satisfaction with the independence, professionalism and preparedness of the MEC, and their level of transparency and stakeholder engagement. Engagements with all electoral stakeholders indicated that the MEC was well prepared to deliver on its mandate for the 2025 General Election.

Furthermore, the Mission noted that the MEC managed the process of nominating candidates in accordance with the law, and that the few disputes that arose were peacefully resolved through the appropriate courts. Notably, two candidates who had been disqualified were reinstated to the list of parliamentary candidates by court order, very close to election day.

(a) Demarcation of Constituencies and Wards

The Mission noted that in October 2022, the MEC published a report on the comprehensive review of constituency boundaries, the first of its kind since 1998. In this regard, the review resulted in the 2025 General Election being conducted in 229 constituencies and 509 wards, as compared to 193 constituencies and 460 wards in the 2019 Tripartite Elections, thus improving democratic representation and the equality of the vote across the country. The number of polling stations also increased to 15,148 for the 2025 General Election, as compared to 5,002 polling stations in the 2019 Tripartite Elections. It is the Mission's view that this considerable increase in polling stations made the voting experience easier. These improvements align with the expectations outlined in the *SADC Principles and Guidelines*.

(b) Voter Registration

The Mission observed that MEC implemented voter registration, supplementary voter registration and the transfer of voters during this electoral cycle. As a result, a total of 7,202,756 voters were registered to vote, representing 65.7% of the projected eligible voting population of 10,957,490. Out of the total number of registered voters, 57% were females and 43% were males. The total number of registered voters for the 2025 General Election surpassed the number of voters registered for the 2019 Tripartite Elections, which stood at 6,859,570.

However, the Mission noted that MEC did not achieve registration of the entire targeted population due to several factors. These include low voter education, disinformation from some opposition political parties that discourages Malawians from registering to vote, a lack of national identification registration, and challenges to internet connectivity. The Mission noted that, to address these challenges and also in compliance with an order of the High Court, the MEC conducted supplementary voter registration. The Mission is of the view that the challenges faced in the voter registration could have been addressed with the introduction of continuous voter registration and a permanent voters' roll, which the MEC, to its credit, has previously recommended in the face of resistance from some political parties.

(c) Special Voting

The Mission noted that arrangements were made for polling staff, representatives of candidates and political parties and officers from security agencies to vote at polling stations where they are deployed, regardless of where they were registered. The special voting was made possible by the amendment of the Presidential, Parliamentary and Local Government Elections Act in August

2025, allowing categorised personnel to exercise their right to vote where they are deployed on election day, provided they have been verified as eligible.

However, the Mission noted that this amendment was made very late in the election cycle, leaving stakeholders and citizens a limited time to understand the implications as compared to the previous voting arrangements. As a result, some voters had the impression that they could vote at any polling station they chose, as long as they explained their circumstances to the presiding officer.

It is worth noting that, as is the case for Malawi, some other Member States have made amendments to their electoral laws late in the electoral cycle. Based on experiences from 2024, this appears to be a trend in the SADC Region, and the SEOM has openly expressed its reservations when this has happened.

(d) The use of System and Electronic Management Devices

The Mission observed that the MEC planned to use an electronic system to transmit election results from tallying centres to the MEC's national tallying centres, and devices for biometric verification of registered voters. The Mission noted concerns of some stakeholders that the use of the system and devices may compromise the electoral process. The Mission also noted the explanations that the use of the system and devices is intended to complement the provisions relating to the management of elections, particularly with regard to the transmission of results and verification of voters as contained in the Presidential, Parliamentary and Local Government Elections Act.

The Mission noted that the use of the electronic system to transmit results of the General Election and biometric voter verification devices was challenged through a petition lodged at the High Court of Malawi in Blantyre. On 11 September 2025, the High Court ruled that the use of election management devices aligns with legal and constitutional mandates, but required the MEC to receive manual results before the national announcement of results, which could be electronically transmitted concurrently with the manual results. This is to ensure transparency in the electoral process. The High Court also rejected an application made by petitioners for a special audit of the MEC electronic transmission system by political parties, as it would expose the system to tampering.

The Mission understands the importance of digitalising the electoral process, but is of the view that the Malawi Electoral Law could be improved to provide clarity on the use of electronic systems, ensuring certainty and predictability in the electoral process.

(e) Diaspora Voting

The Mission noted that the Presidential, Parliamentary and Local Government Elections Act does not cater for voting by Malawians in the diaspora. The *SADC Principles and Guidelines* encourage regular reviews of the participation of citizens in the diaspora in national elections. The Mission considers voting in diaspora as the best practice to be incorporated into the electoral process.

(iv) Role of the Judiciary

The *SADC Principles and Guidelines* require Member States to uphold and guarantee impartiality and Judicial independence. An impartial and independent judiciary is fundamental to the rule of law, and in the present context, to the civilised, peaceful, credible and timely settlement of electoral disputes. The Mission noted that despite their individual positions regarding the various disputes arising from this General Election, all stakeholders in Malawi that the Mission engaged with expressed their respect and high regard for how the Judiciary in Malawi has continued to handle election-related disputes, which is commendable and builds its credibility.

(v) Role of the Media

The *SADC Principles and Guidelines* require equal opportunities for all candidates and political parties to use the state media. The Mission observed that the conduct of the media in Malawi is governed by the Communications Act No. 34 of 2016. The Mission received reports that the private media were relatively balanced in terms of communicating electoral messages and campaigns of political parties and candidates, except for paid party advertisements, which depended on the financial strength of the parties. Private radio stations aired political events across the country.

Concerns were raised by some stakeholders about the biased coverage by the state-owned broadcaster during the current election period in favour of the ruling party. The Mission is of the view that the Malawi Broadcasting Corporation should have done more to ensure equal coverage of campaign activities of all political parties in line with the provisions of the Communications Act. The Malawi Communication Regulatory Authority should

also ensure that it provides a level playing field for all political parties on state-owned media platforms. This is not the first time that SEOM has made this observation. In 2019, the SEOM had this to say:

“While all political parties have the right to have their campaign messages reported on all media, there is an extra legal obligation on the Malawi Broadcasting Corporation (MBC) as a State funded media outlet, to maintain neutrality and ensure equal news coverage of all political parties in this respect.

The Mission observed that the MBC did not, however, provide neutral and equal news coverage for all political parties and candidates, as required by the law.”

The Mission also noted that there were isolated incidents where journalists' work was interfered with during political parties' nominations, conventions, and rallies. In addition, some social media platforms were used to spread misinformation and disinformation to citizens about the electoral process.

(vi) Independent Candidates

The Mission observed that the Constitution allows for independent candidates to contest in the General Elections. Five (5) independent candidates contested for the presidency. Out of 1,489 Parliamentary candidates, 623 or 42% of the total were independent candidates. The figure is high compared to the 2019 Tripartite Elections, where 501 independent candidates made up 31% of the Parliamentary candidates. The increase is partly due to contestations and the outcomes of political parties' primary elections.

The Mission also noted concerns raised that an independent candidate, having been elected, may join a political party. The Constitution only prohibits crossing the floor by Parliamentarians who belong to a political party, but not by independent candidates. The Mission is of the view that this position denies voters who elected an independent candidate the right to be represented without an alignment to, or influence from, a political party.

(vii) Gender Representation

The 2019-2025 Parliament had only 20.7% female members. In the context of the 2025 General Election, the Mission noted that although women account for 57% of registered voters in Malawi, they comprise only 22% of the candidates in the parliamentary election, and there is only one woman out of 17 candidates for the presidency. On a positive note, nine women were chosen as running mates to the presidential candidates. At the Parliamentary level, female candidates were required to pay a nomination fee of Kw 1.25 million which is half of the Kw 2.5 million that their male counterparts were required to pay. However, the proportion of women in elected offices remains very low and is a cause for serious concern. The Mission awaits the results of the 2025 General Election to determine if the number of elected women Parliamentarians will even exceed the proportion achieved in the 2019-2025 period and move in the direction expected by the SADC Protocol on Gender and Development and the *SADC Principles and Guidelines* in relation to the requirements to address the gender imbalance in politics.

(viii) Participation of Youth and Persons with Disabilities in Elections

The Mission noted that at the Parliamentary level, youth and persons with disabilities were required to pay Kw 1.25 million

instead of Kw 2.5 million, which is half of what other candidates were required to pay. The Mission finds that this has promoted the participation of youth and persons with disabilities in the 2025 General Elections.

III. OBSERVATIONS ON ELECTION DAY

The 2025 General Election was held on Tuesday, 16 September 2025. The voting in all polling stations was finalised on the same day. The Mission observed that campaign activities did not take place on the voting day, and no campaign materials were displayed at the polling stations. The environment at all the polling stations observed was calm and peaceful. Security personnel were observed armed, providing security at all the polling stations.

On Election Day, the Mission observed the voting processes and the performance of the MEC in constituencies in 28 Districts in the Republic of Malawi. SADC observer teams were granted access to all the polling stations they observed. Out of a total of 15,148 Polling Stations, SEOM observed the following at the 395 polling stations visited:

Opening Procedure

The opening procedure was observed at 28 polling stations:

- (i) 31% of the observed polling stations opened on time, while 69% did not, due to delayed preparation, late arrival of a polling official, faults in the biometric verification devices, lack of knowledge on the part of polling officials, internet

connectivity challenges and resistance by voters on the use of the devices. The delays ranged from 1 to 30 minutes.

- (ii) At 96% of all the observed polling stations, ballot boxes were shown to be empty before being sealed. At one (1) polling station, the ballot boxes were not shown to be empty before sealing.
- (iii) At 61% of the polling stations observed, the voters' list was not displayed outside while it was displayed outside 39% of the polling stations.
- (iv) At 14% of the polling stations observed, posters were present outside to educate voters on the voting process, while at 86% of the polling stations observed, there were no such posters.
- (v) At all the polling stations observed, representatives of political parties and independent candidates were able to perform their duties without interference or restrictions.
- (vi) In 96% of the polling stations observed, the environment was peaceful, while in 4% of the polling stations, the atmosphere was not conducive due to poor crowd control and chaotic queues.
- (vii) Security personnel were visibly present outside 96% of the polling stations observed.

Voting Procedures

The voting procedures were observed at 395 polling stations:

- (i) The atmosphere/environment outside all the polling stations that were observed was peaceful.
- (ii) Security personnel, some of whom were armed, were visibly present at 99% of the polling stations.
- (iii) 99% of the polling stations observed were accessible to all voters, including persons with disabilities, the elderly and pregnant women. The only exceptions were at 1 % of the polling stations, which were located on a hill, making it difficult to reach these categories of voters.
- (iv) Voting progressed smoothly and orderly, and voting procedures were followed in all the polling stations observed. No irregularities were observed during the voting process in the polling stations observed.
- (v) At 90 % of the polling stations observed, all registered voters were allowed to cast their ballots. However, at 10% of the polling stations, some voters were not allowed to vote, mainly because they were at the wrong polling stations, did not have transfer forms, or lacked voter identification cards.
- (vi) Almost all the polling stations observed were adequately laid out.
- (vii) At 64% of the polling stations observed, voters with disabilities, expectant mothers, and the elderly were given priority to cast their votes, while at 2 % of the polling stations, such priority was not given. In 34% of the polling stations observed, no cases required such a priority. All those needing assistance to vote were helped by a polling station officer or another registered voter of their choice.

- (viii) At all the polling stations observed, voters' identification documentation was checked against the available voters' roll.
- (ix) The average time taken to process a voter was 1 to 5 minutes, which is commendable considering the complexity of the voting procedures and the number of ballots.
- (x) Political parties and candidate representatives were present in 99% of the observed polling stations.
- (xi) Other international observers were present at 35% of the polling stations observed, and were not observed at 65% of the polling stations.
- (xii) Local observers were present at 72% of the polling stations observed and were not present at 28% of the polling stations.
- (xiii) Polling materials were available in sufficient quantity at all the polling stations visited.
- (xiv) Ballot boxes remained locked and sealed in all the polling stations during voting.
- (xv) The voting process continued uninterrupted at 99% of the polling stations observed. At 1% of the polling stations, voting was interrupted by heavy winds and an unruly representative of a political party.
- (xvi) No formal complaint was lodged with a polling station officer in any of the polling stations observed.

Closing Procedures

Closing procedures were observed at 28 polling stations.

- (i) Security personnel were visibly present in all the polling stations during the closing procedures.
- (ii) 31% of the polling stations observed closed on time, while 69% did not close on time to compensate for the time lost by the delayed opening of the polling stations.
- (iii) At 86% of the polling stations observed, the polling station officer reconciled the number of used and spoiled ballot papers during the closing process, and the reconciliation took place in the presence of representatives from political parties and independent candidates.
- (iv) At 93% of the polling stations observed, an announcement was made regarding the reconciliation of the ballots cast.
- (v) At 97% of the polling stations observed, minutes of the closing of the polling stations were completed.
- (vi) Political party and independent candidate representatives were allowed to follow the closing procedures in all the polling stations observed.

Counting Procedures and Display of Results

The Mission observed the counting of votes in 27 polling stations. The following were observed:

- (i) Counting took place at all the polling stations observed.
- (ii) At all the polling stations observed, the political party and independent candidate representatives were present and allowed to observe counting procedures.
- (iii) At all polling stations observed, security personnel were present.

- (iv) At all the polling stations observed, the ballot boxes were still adequately locked and sealed, with serial numbers on the ballot box seals matching those at the start of the counting, as well as at the time of opening.
- (v) At all polling stations observed, the counting process proceeded uninterrupted throughout.
- (vi) At 92% of the polling stations observed, the total number of ballot papers in the ballot boxes matched the total number of used ballot papers as previously announced, while in 8% of the polling stations, a ballot paper was missing in each of two polling stations.
- (vii) At 93% of the polling stations observed, the voting stations were arranged in a manner that allowed for easy observation and counting.
- (viii) In 81% of the polling stations observed, there was adequate lighting while in 19% of the polling stations there was inadequate lighting due to a lack of electricity, insufficient gas light and fewer torches.
- (ix) At all the polling stations observed, representatives of the political parties and independent candidate signed and received a copy of the results.
- (x) At 74% of the polling stations observed, results were posted outside , while results were not posted at 26% of the polling stations.

IV. SEOM RECOMMENDATIONS

In light of the Mission's observations and considering issues highlighted by various stakeholders, the SEOM recommends the following for the improvement of the electoral process in the Republic of Malawi:

(a) Political and Security Environment

The Mission urges the Government of the Republic of Malawi to ensure that law enforcement agencies in Malawi address reported criminal acts related to electoral activities.

(b) Registration of Voters

The Mission urges the Government of the Republic of Malawi to prioritise passing the necessary legal amendments to establish a continuous voter registration system, thereby improving voter registration opportunities and introducing a permanent electoral roll.

The Mission also urges the Government, with the facilitation of the MEC, to lead stakeholder consultations on reviewing the participation of citizens in the diaspora with a view to considering the possibility of extending voter registration and voting rights to citizens in the diaspora.

The Mission further urges the Government to consider amending the Presidential, Parliamentary and Local Government Elections Act to provide for a mandatory requirement for the publication of voters' list outside polling stations before election day.

(c) Use of Electronic Systems

The Mission urges the Government of the Republic of Malawi to consider amending the Presidential, Parliamentary, and Local Government Elections Act to provide provisions on the use of electronic systems for electoral activities, including the transmission of results.

(e) *Role of the State and Private Media*

The Mission urges the Government of the Republic of Malawi to consider regional and international best practices and implement measures to ensure that the Malawi Public Broadcasting Corporation provides impartial coverage of elections and political activity in Malawi in line with the Communications Act and the *Revised SADC Principles and Guidelines*.

(g) *Gender Representation*

The Mission urges the Government, political parties and all stakeholders to adopt concrete measures to improve the proportion of women in elected political positions, particularly in parliament.

V. CONCLUSION

In conclusion, the SEOM observed that the pre-election and voting phases of the 2025 General Election in the Republic of Malawi were generally conducted in a peaceful and orderly manner.

The Mission calls upon all stakeholders to continue promoting the positives of peace, tolerance and calm across all available platforms, while the country awaits the final results of the 2025 General Elections.

The Mission also encourages all stakeholders to utilise the relevant dispute settlement mechanisms as provided in the Laws of the Republic of Malawi in the event of any disagreements arising from the outcome of the General Election.

In accordance with the SADC Principles and Guidelines, the Mission will issue the Final Report, containing our findings and recommendations, within 30 days of the issuance of this Preliminary Statement.

Thank you
Muito Obrigado
Merci beaucoup
Asante Sana
Zikomo kwambili