



P.O Box Bag 2340, Lilongwe

10<sup>th</sup>. May, 2019

The Chairperson

Malawi Electoral Commission

Blantyre

Dear Madam,

**Re: Request for rescinding a decision to accredit election service providers as observers.**

We want to bring to your attention that the decision to reject to accredit accredited electoral service providers is unlawful and inconsistent with the Constitution and the electoral laws.

You have informed the nation that, your decision is in adherence to the Constitution and Electoral Laws, but, we have observed that you have been inconsistent to the adherence of the law. For Examples, MEC violated electoral laws in the following incidences;

1. Use of biometric registration system for registration-This is not prescribed in law, but we have had it done in the best interest of the nation and common good.
2. Use of the national identity card as the sole identification for voter registration. This is also not prescribed in the law as an acceptable form of identification. Again in the best interest of the common good we accept this as a nation.

We also observed that in making the decision to accredit election service providers as observer as opposed to monitors, it was a departure from the precedence as it has been in all the past elections since 1994. This was in the spirit of adding value to the electoral process in the best interest of the country and democracy. We wonder why is it so difficult to allow CSOs and other electoral service providers as monitor? We would like to make an emphasis that this election will be the most competitive in our history and the need for more monitors than observers cannot be over emphasized. A monitor has more power to intervene in a situation than an observer. We cannot allow MEC to turn citizens of this country into mere spectators of their own electoral process. Our expectation was that MEC would be more excited to have a lot of monitors in support of administering a free, fair, just and credible election. We would like MEC to tell this nation as to what disparity are they addressing by deciding to turn CSOs electoral observers as opposed to what has been happening in all our previous elections.

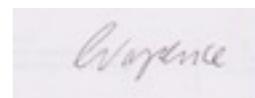
Given the above, we humbly ask MEC to rescind its decision and accredit election stakeholders as monitors and not observers. We also appeal to MEC to avoid application of the law in an inconsistency manner, especially on critical issues that can add value to an accountable and transparency electoral process that is credible and of high level of integrity.

We therefore, look forward that the Commission, within three days, it will rescind its decision. Otherwise, we will take further action on the matter, including court intervention.

HRDC is committed to support MEC and the nation towards a just, free, fair and credible elections. Yours faithfully,



Timothy Mtambo  
National HRDC Chairperson



Gift Trapence  
National HRDC Vice Chairperson

CC: MEC Chief Elections Officer

Secretary General UDF

Secretary General MCP

Secretary General UTM

Secretary General DPP

Secretary General MMD

Secretary General UMODZI Party

Secretary General Independent Party