



Centre for Multiparty Democracy

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Post Election Healing

TERMS of REFERENCE

Introduction

The Centre for Multiparty Democracy - Malawi (CMD-M) is a membership organization comprising of political parties that have representation in the National Assembly. Its recently revised constitution opens membership to other political parties that have no parliamentary representation. Representation in the National Assembly is defined as getting parliamentary seats through General Elections and / or by - elections.

The CMD - M sets out to ensure the entrenchment of multiparty democracy in Malawi. Its mission is to “enhance inter - party programs of common interest for the promotion of political dialogue, stable multiparty democracy and social economic development of Malawi.”

Background

Malawians went to the polls on 21 May, 2019 to elect Councilors, Members of Parliament and the Republican President. Throughout the electoral process, a hot and contentious issue was regarding the possibility of vote rigging. All the leading political parties and presidential candidates made claims of vote rigging. The CMD through its training of party monitors and its engagement with political parties Secretaries General, emphasized on how political parties and candidates can safeguard the vote through vigilant poll watching.

On elections day, the polling was largely peaceful and orderly with no significant incidents. The same was the case during counting. However, problems started emerging during result transmission, when it transpired that some results sheets had alterations using a correction fluid. The Chairperson of the Electoral Commission admitted in one of her briefings that indeed, the correction fluid was used on some of the results sheets, and further said that the “problem” was not localized in one area, but from different parts across the country.

The Commission proceeded to tally the results and declared the election. However, following the announcement and declaration of official results, presidents of the MCP and UTM were not satisfied with the results and the results management process by MEC. They, therefore, petitioned the High Court (sitting as a constitutional court) asking for nullification of the presidential results. While the elections case was being handled through the court process, there were demonstrations led the Human Rights Defenders Coalition, asking for the resignation of the Chairperson of the Electoral Commission, for mishandling the elections. While the organizers of the demonstrations repeatedly labeled the demonstrations as peaceful, violence was widespread.

On the 3rd of February, 2020, the Court ordered that a fresh presidential election be held within a period of 150 days. The Court further said a person to be duly as President, one has to get a minimum of 50%+1 vote. The other directives were for parliament to operationalize the holding of elections, and to look at the competence of the MEC Commissioners. Following the ruling, Parliament convened and passed some electoral reform bills, but the State president withheld his assent. The Public Appointments Committee of Parliament also engaged the Electoral Commission and recommended to the President that the Commission is incompetent, and should be relieved of their duties.

The fresh elections were held on the 23rd of June, 2020. The Tonse Alliance led by MCP and UTM won the Presidency, and DPP was relegated into the opposition.

To the parties that have been victorious, one notices anxiety as to whether or not they will be able to sustain their strength in subsequent elections. To those who have lost, there is a sense of confusion as they grapple with questions of what when wrong, and how they can turn their fortunes, regroup and mount a comeback strategy. The country is also witnessing defections of politicians especially from the opposition to the ruling side.

All these dynamics are crucial for Malawi's multiparty democracy as they will inform the development of the party system as to whether we are moving towards the emergence of a single or a few dominant parties... and the impact of that to multipartism. And if this trend continues, is the country sliding back to single party politics?

Objective of the Assignment

The fundamental question that political parties need to ask themselves is *why people - the voters have behaved in the way they have behaved*. This question is a call for political parties to take stock of their conduct, do a soul searching in how far their conduct has had an impact on the result of the elections. This is the main objective of doing post election healing.

Scope of the Assignment - Role of the Consultant

This activity aims at assisting political parties to come to terms with the reality of the election result. It intends to assist them to manage either their success or failure in the election and to begin to strategise on future courses of action. The activity will target district party officials of political parties and secretary generals/organizing secretaries/campaign directors. The activity will take the form of regional workshops in all the three administrative regions of the country. The regional conferences will have twin approach. The first part will take the form of a cross party workshop with an external resource person. The resource person will provide an input that will include the following areas:

- Pre election period: analysis of registration of voters, party primaries, nomination of candidates.
- Elections: Analysis of party campaigns, the media, coalitions, use of public resources etc.
- Post election: Elections results, new parliament and cabinet and the new electoral cycle, analysis of post election tensions within parties (succession crises)
- The role of elections in a democracy
- The role of political parties in a democracy especially in between elections

In the second part, political parties will break into individual party caucuses. The secretary generals/organizing secretaries/campaign directors will be expected to interact with their district party officials to do a post election analysis to understand why their parties performed in the way they did. This will allow the parties to have some baseline data that they can use for them to develop a strategy for future planning. The analysis of the resource person in the earlier part will serve as a guidance for the

party caucuses, but again it will provide an opportunity for different party agents to air out their views and opinions on the whole electoral process.

Expected Outcome

It is expected that at the end of these sessions, political parties will have information/feedback from people from lower levels on how and why they think that their parties performed the way they did. It is expected that this information will be crucial for future programming of political parties. It is further expected that party leaders will account for some of the decisions they made that may have had an influence on the outcomes the election, and they will have suggestions from the people on the ground on how to forge ahead - achieving a bottom up approach. By bringing people from different parties together, this activity will provide an opportunity for bonding - to show that parties can still work together despite their different orientations.

Timeline and Deliverables

The assignment is expected to be conducted within an 8 to 10 day period. The consultant is expected to facilitate the sessions and produce a report after the assignment. The CMD will organize the regional sessions.

Supervision and Reporting

The consultant will be under the direct supervision of the Executive Director to whom the final report will be presented.

Submission of the Technical and Financial Proposal

Interested consultants are expected to submit both technical and financial proposal to the Executive Director through email at cmdmalawi.general@gmail.com

Expressions of interest must be sent by e-mail to the same address as above by CoB on 8th of September, 2020. When submitting please put subject line: **Post Election Healing**