



**RESULTS DECLARATION SPEECH BY CHAIRPERSON, JUSTICE DR
JANE MAYEMU ANSAH SC**

**FOR NOVEMBER 5, 2019 BY-ELECTION IN MATENJE WARD,
KASUNGU NORTH WEST CONSTITUENCY**

DELIVERED ON 6TH NOVEMBER, 2019

SUNBIRD MOUNT SOCHE HOTEL, BLANTYRE

- My fellow Commissioners,
- The Chief Elections Officer, Mr Sam Alfandika and all staff from MEC
- Representatives of various political parties and independent candidates here present
- The Mayor of the City of Blantyre, Councillor Wild Ndipo
- The Vice-Chairperson of the Blantyre District Council, Councillor, Mussa Chikwakwa
- The Chief Executive Officer for Blantyre City Council
- District Commissioner for Blantyre District Council
- Representatives of various Civil Society Organizations
- Distinguished Invited Guests
- Members of the Press
- Ladies and gentlemen

Good afternoon

I am grateful to God, the Almighty that this afternoon I can present to you the results of the by-election, held yesterday, November 5, 2019 in Matenje Ward in Kasungu North West Constituency. I want to thank God Almighty for the peaceful by-election. God has been very faithful to us since we launched the by-election on October 6, 2019 during a stakeholders' meeting held in Kasungu District.

The Commission met earlier today to determine on the results and declare a winner. Before I announce the final results and declare the winner allow me to give a brief background of the process.

Postponed by-election in Lilongwe South Constituency

Ladies and Gentlemen, you might be aware that the Commission had planned to hold a by-election in Lilongwe South Constituency alongside the one in Matenje Ward.

All the preparations were on course: we did the by-election launch, registration of voters and voters roll verification, nomination and launched the official campaign. However, in the course of the campaign period, there were serious cases of violence occurring in the constituency. The commission tried to quell the situation through the Multiparty Liaison Committee (MPLC) but it never worked. The situation was getting worse, more cases continued to occur. The violence was also targeted at candidates, supporters and the Commission. Subsequently, the Commission met on 29th October, 2019 in Lilongwe to review the situation and a resolution was made to postpone the by-election activities in the Constituency. This was to save lives and property in the constituency and also to give room for addressing all matters causing the violence.

Ladies and gentlemen, I should emphasise that the Commission is eager to hold the by-election in Lilongwe South once the situation

normalises so the onus is on all political and traditional leaders to join hands with the MEC to achieve this.

I should also send a strong message that the Commission will not tolerate any form of violence and intimidation during the electoral process. If it resurfaces, the Commission will not hesitate to disqualify the candidate whose supporters are involved in causing violence and proceed with the by-election without such a candidate. Intimidation and violence have no room in electoral democracy.

The way forward for Lilongwe South is that the Commission will engage the leadership of contesting candidates and be monitoring the situation on the ground. Once the situation improves, the Commission will announce a new date for the polling. When we announce the date, the process will start from where we stopped. The ballot papers have already been printed and are under MEC's custody.

The Commission reiterates and emphasizes its commitment to hold the by-election in Lilongwe South constituency so that the people there should have representation in Parliament.

Background to the vacancy in Matenje Ward

The vacancy in Matenje Ward, arose following the death of Councillor Alick Kambanizithe Banda on September 18, 2019. The late Councillor Banda was elected during the May 21, 2019 elections.

Pursuant to section 23(2) of the Local Government Elections Act, the Commission conducted the by-election to fill the vacancy.

Inspection and registration of voters

This exercise ran for two days from 10 to 11th October, 2019. The Commission registered a total of 171 new voters of whom 77 were men and 94 were women. This brought to 15,760 the total number of registered voters in the ward.

The Commission wishes to express its profound appreciation to all stakeholders that worked with it in reaching out to the people urging them to go and register or verify their registration details.

As common with other by-elections, less people came to verify their details. This is because they know they will still be able to vote. As Commission we do not encourage people to take that route. It is very important to verify details because if there are any problems we have time to rectify them before the polling day.

Nomination of candidates

Distinguished ladies and gentlemen, in Matenje Ward, the Commission received five nomination papers. After vetting, all candidates were allowed to contest.

In the course of the preparation, the UTM wrote the Commission withdrawing endorsement of their candidate. The candidate opted to stand as independent and the Commission accepted him.

Ladies and gentlemen, I should mention that of all the five candidates there was no female contestant. During the launch of the by-election the Commission had weighed in on the need to encourage women to participate as candidates. But the fact that no one can be forced to stand, the Commission also had to accept the situation as it is.

Official campaign period

The official campaign period ran from Saturday October 19, 2019 and closed at 6am end on Sunday November 3, 2019.

The Campaign period is the time whereby candidates go to the electorate to market themselves so that they can be voted into office come the polling day.

The Commission would like to commend all stakeholders including candidates, political parties and the electorate for observing the Code of Conduct for Political Parties and Candidates. There were no incidences of violence. You may wish to note that the commission also monitored the campaign period by attending the campaign rallies and events.

Polling, counting and results

Polling took place on November 5, 2019. All centres opened on time and ran uninterrupted. Counting of results began immediately after

close of polls at the same polling stations where polling took place. Results from the polling stations were taken to the ward tally centre where they were tallied but also sent to Blantyre at the MEC head office. I should thank all parties and candidates who sent their monitors to polling and tally centre to monitor the counting process. Their presence enhanced the transparency and credibility of the process.

Appreciation to stakeholders

MEC wishes to extend its appreciation to Government through the Ministry of Finance for timely release of funds to conduct the by election.

The Commission commends all stakeholders for their continued support in voter mobilisation whenever there is a by-election.

The Commission is also appreciating the faith-based organizations and religious leaders who helped in voter education by reading to their congregations the letters that MEC sent to them with various voter information.

Further appreciation should go to the Traditional Leaders for their assurances that they would safeguard the electoral process and they have indeed lived to their word and also because they mobilized their subjects when we went to conduct voter education meetings in their

areas. The Commission did not get any report of Traditional Leaders engaging in partisan conduct like creating no-go-zones and favouring a particular candidate.

The Commission continues to appreciate the Malawi Police Service and Malawi Defence Force for providing security from the start to the end of the by-election and the media for sensitizing the public on these by-election and publishing correct information.

The Commission recognizes and appreciates the District Commissioner, and members of Kasungu District Election Supervisory Team who managed the elections on the ground. You will agree with me that the team as superb.

Let us give them all a round of applause for their unwavering support.

A fitting word of high and hearty commendation to my fellow Commissioners and the MEC staff for their dedication, professionalism, commitment and selflessness in managing the electoral process so well. To you I say well done!! Keep it up!

Finally, I should also express sincere gratitude and appreciation to all registered voters in Matenje Ward and Malawians at large for the manifestation of tolerance, peace, trust and spirit of cooperation in

their conduct, during the electoral period. I should also in a special way thank all those that turned up to vote.

Commission's observations:

- **Participation of political parties:** This is the first by-election conducted after the May 21, 2019 Tripartite Elections. There are over 50 registered political parties and only three political parties participated. It is the hope of the Commission that the Political Party's Act will be in full force and regulate idle parties. Under Section 16 (1)(e) of the Act, the Registrar of Political Parties has powers to deregister a political party on his own motion if he or she is satisfied that the party has ceased to exist. Political parties exist to contest in elections, get into positions and influence policies. If political parties are not contesting even in by-elections which elections are they going to contest? We echo the calls for full enforcement of the Political Parties (Registration and Regulation) Bill to address issues like this one.
- **Women participation:** the Commission has always been offering a 50 percent discount to women candidates as one way of encouraging them to stand. Out of the five candidates there was no female. By-elections offer an opportunity to put women in power and somehow alter the statistics. The Commission did not hear any such campaigns which are common during general elections. The campaigners including the 50-50

programme should know that women participating in by-elections equally need their support as those participating in general elections. Efforts to support women in elections should embrace the electoral cycle philosophy. Political parties should also move from rhetoric to action regarding women empowerment. Women candidates don't just appear from nowhere. There is need to create an environment which will nurture them. Parties should come up with policies and practices that will support women candidates beyond just paying nomination fees for them.

- **Low voter turnout:** The Commission has noted that every time Local Government Elections are held alone there is low voter turnout. Starting with the Local Government Elections held in 2000 whereby voter turnout was 14 percent. This has also been the case in the by-elections held in recent times.

On April 10, 2018, the Commission held by-elections in Milonde Ward of Mulanje South East and Malindi Ward of Mangochi North East constituencies and whereby turnout was as follows:

- Milonde Ward at 19.14 percent
- Malindi Ward at 33.79 percent.

On October 17, 2017 the Commission conducted Local Government By-elections in three areas and the turnout was as follows:

- Mayani North Ward in Dedza North Constituency at 30.89 percent
- Mtsiliza Ward in Lilongwe City West Constituency at 16.84 percent
- Ndirande Makata Ward in Blantyre Malabada Constituency at 18.29 percent

On November 1, 2016, MEC also conducted Local Government by-elections in four areas and the voter turnout was as follows:

- Bunda Ward in Kasungu Municipal Council at 39.80 percent
- Kaliyeka Ward in Lilongwe City Council at 12.58 percent
- Bembeke Ward in Dedza District Council at 9.36 percent
- Sadzi Ward in Zomba City Council at 31.01 percent.

On December 22, 2015, the Commission conducted Local Government by-elections in two wards and the turnout was as follows:

- Ngala Ward, Lilongwe Msozi North Constituency at 13.88 percent
- Mtope Ward, Mchinji West Constituency at 17.29 percent

Ladies and gentlemen, the Commission has taken time to share the statistics above to show that the issue of low voter turnout is something that has characterized Local Government Elections for a long time. This should also preempt those that might want to make a case that the low voter turnout in Matenje Ward is because of the current political impasse and the ongoing court cases against MEC. As seen from the statistics shared, there has never been a ward that has attained 40 percent voter turnout and there are several that have registered lower voter turnout than Matenje ward before.

On its part, the Commission is concerned with this trend and would want to get to the root cause. There is need to talk to the voters why they do not show up for voting. Some of the factors might be exogenous to MEC and we might need as stakeholders to join hands and reverse this trend.

The Commission appeals to the electorate to appreciate the role and importance of the Local Government system in the development of the country. The Local Government Elections are equally important as the Parliamentary and Presidential Elections. Effectiveness of the local government system starts with the quality of the councilors that get elected. The Commission expects all stakeholders to join hands with it in sensitizing the public on this fact and the need for the electorate to vote in Local Government Elections.

Declaration of Results

Distinguished Ladies and Gentlemen, I will now proceed to declare the results.

The Commission monitored the voting that took place yesterday, November 5, 2019. We are satisfied that it was conducted in an environment where the electorates were free to elect a candidate of their choice without fear and intimidation. We are also confident that the results we are about to announce reflect the will of the voters. The Commission, therefore, declares this election as a credible one that has met legal requirements and international best practices.

Matenje Ward had five candidates. With a total of 15,760 registered voters, a total of 3,089 voters turned up for polling. This represents 19.60 percent voter turnout. There were 38 null and void votes. This represents 1.23 percent. The results of the voting are as follows:

- Descent Msatero Chipangula, Malawi Congress Party (MCP) 1,489 votes
- Nelson Maseko, Democratic Progressive Party (DPP) 1,203 votes
- Chrifford Joseph Mbewe, Independent, 185 votes
- Shadreck Mvula, Independent 55 votes
- Vincent Phiri Mbakuwaku Movement for Development (MMD) 119 votes

Distinguished Ladies and Gentlemen, on behalf of the Commission,

I, Justice Dr Jane Mayemu Ansah, SC now declare candidate Descent Msatero Chipangula, who contested as Malawi Congress Party candidate the winner in the Matenje Ward by-election.

Concluding remarks

I wish to express our appreciation to the Traditional leaders and supporters of the different political parties for a very peaceful political environment which reigned before and during the by-election in Matenje Ward and trust that the same will continue as we accept and embrace today's official election results. It is important that we continue to uphold the Code of Conduct for Political Parties, Code of Conduct for Traditional Leaders, electoral laws and the Constitution of the Republic all the time for us to continue enjoying peace and therefore create a conducive environment for development.

The Commission urges Electoral Stakeholders from the rest of the country to learn from Matenje Ward stakeholders on the way they conducted themselves during this electoral process.

I extend congratulations to the winner. You have a social contract with the people and please go out to implement it. I urge you and your supporters to celebrate responsibly. For those who have not made it this time, I say there can only be one winner.

I wish to thank everyone for participating in this by-election.

May God bless you

Bless our land

Let me invite you all to stand and sing the National Anthem.