



**UPDATE 02: CLOSE OF POLLS AND RESULTS COUNTING
BY MEC CHAIRMAN, JUSTICE DR CHIFUNDO KACHALE
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My Fellow Commissioners

The MEC Chief Elections Officer, Mr Sam Alfandika

Brigadier General Blaise Saenda from the Malawi Defence Force

Deputy Commissioner of Police, Mr Noel Kayira

My fellow Malawians

The Commission wishes to give an update on the conduct of the polling exercise for the Fresh Presidential Election today. Now that polls are closed, the Commission will explain more regarding vote counting and tallying. The Commission will also tackle some of the issues that happened during the polling process.

Conduct of polling exercise

The polling exercise has generally been peaceful and voters were free to go and come back from polling stations without intimidation and harrassment. There have been some unfortunate incidences but, fortunately, they did not disturb the polling process. On the operational side, some centres opened late due to various reasons which the Commission was able to respond to on time and provide

remedial solutions so that polling takes place. There was one polling station at Namikango Centre in Dedza North West Constituency where polling started late in the afternoon due to the absence of the voters' register. The matter was reported to MEC supervisory teams. A new voters registers was dispatched to the centre and polling started in the afternoon. It has been arranged through a consensus that polling should run uninterrupted until everyone who was on the queue by 6.00 pm votes. This same arrangement was made in other centres that experienced slight delays due to various reasons. As of now the Commission has not been availed with any occurrence at a centre where polling might need to continue tomorrow. So all polling stations will close tonight according to the information we have at hand at the moment.

The Commission has noted a myriad of issues circulating on social media about the conduct of the polling process today. The Commission has been restraining itself from commenting on each and everything that has been reported in the social media. However, there is one issue which the Commission is interested in setting the record straight and that is what Zodiak Broadcasting Station (ZBS) reported about a woman who failed to vote in Dedza because of a voter certificate that showed that she registered during the Fresh Presidential Election.

The story, as you can see on the screen, mentions that Fatima Kafwafwa who broke into tears when she was sent away from Umbwi Polling Centre in Dedza South Constituency because her

voter certificate was allegedly changed to a category of F20 voters rendering her inelligible to vote. The lady told Zodiak that she voted in 2019 at Umbwi Secondary School during the May 2019 Tripartite Election.

The Commission has investigated this issue and the explanation is that it is indeed true the voter in question registered and possibly voted in the May 2019 Tripartite Elections. And I will ask the ICT to display a copy of her 2019 voter certificate which the Commission has printed from the voters register that was used today. As you can see on the screen, it is not true that the MEC changed her certificate number from T19 to F20, which means she is ineligible to vote. The truth of the matter is that in preparation for the June 2020 Fresh Presidential Election, the voter in question went to the registration centre and registered again. That is why she had an F20 certificate. That certificate is hers because she registered for the second time. She was not supposed to register as a new voter but ask for a duplicate certificate, if she had lost the original one since registering more than once is a crime. Today during polling she presented the F20 certificate and that is why she was not able to vote. The Commission sympathises with her and wishes to encourage all registered voters to always pay full attention to voter education messages from the Commission. In the view of the Supreme Court ruling, the F20 certificate was not part of the voters register. This is not an isolated case. There are several other cases that the Commission has encountered some people alleging to be registered voters but missing in the voters register.

Results counting

Now that polls have closed, results counting has started. As I said, on Monday, no ballot box will be moved from the station where polling took place before it is counted.

Vote counting has to be done in the presence of party representatives and observers. The room should be spacious so that all party representatives should be able to follow the process well. The MEC has provided gas lamps and other lighting materials to provide adequate lighting during the counting process.

The Commission wishes to emphasise that each polling station will count its own results and the Presiding Officer will take them directly to the District Tally Centre. At the polling station level, party representatives should get copies of signed results sheets. The Presiding Officer should not leave the polling station for the District Tally Centre without giving the party representatives a copy of the results. That will be irregular and in violation to the procedures put in place by MEC. A copy of the results should also be pasted at the polling station for public inspection.

At the District Tally Centre, the Returning Officer shall receive the results with the assistance of Constituency Desk Officer. Contesting Political Parties have been asked also to place two Representatives at this level for each constituency. At the District Tally Centre the Returning Officer shall compile tallied results for each constituency

and later the District Summary. Party Representatives shall be given signed copies too. At the end of the process the Returning Officer shall physically take the results to the Main Tally Centre in Blantyre. There are Biometric kits that are used to enter the results at the district level. These kits are not connected to any network or internet. At the conclusion of the exercise at the district, the Returning Officer shall seal the kit and the party representatives will be allowed to record the seal numbers. At the National Tally Centre, representatives of political parties will also be given an opportunity to examine the seal numbers before the kit is opened.

The Commission is advising the general public that polling stations are access controlled places. No one stays at the center to spectate results counting unless they have been accredited to do so. This is regardless of the seniority of the person within a political party or any organisation. The Commission sternly warns anyone not accredited to stay away from the counting process. The Presiding Officer is in charge and can demand any person to leave the polling station if their conduct is unbecoming and detrimental to the smooth counting of the votes.

The Commission is advising party representatives and observers not to leave the polling stations until the results are signed for. However, if a party representative abandons the counting exercise, the process will still continue.

May I appeal to all parties and candidates to ensure that they look into the welfare of their representatives so that they dedicate themselves fully to the task they have been assigned.

Electoral complaints handling

Elections are an emotional process and disputes are bound to occur. In a bid to ensure free, fair and transparent elections, the Commission has set up an elaborate system to handle complaints expeditiously.

The Commission has set up a legal team comprising 10 lawyers from the Ministry of Justice who will help the Commission in summarising the complaints and submitting them to the Commission for determination. The determinations will be made by the Commission.

The Complaints will be handled and resolved in accordance with the provisions of the law. The Commission will at the beginning of the determination of the national result deal with all matters that have been subject to complaints.

It is expected that only those complaints that will not have been resolved at the Polling Stations or at the District Tally Centre will be dealt with by the Commission at the commencement of the determination of the national results.

In accordance with section 113 of the Parliamentary and Presidential Elections Act, complaints alleging any irregularity at any stage if not

satisfactorily resolved at a lower level of authority shall be examined and decided on by the Commission and where an irregularity is confirmed, the Commission shall take necessary action to correct the irregularity and the effects of such an irregularity.

The Commission is expecting that all complaints will be lodged in the prescribed form. For this purpose, the Commission has provided each polling station with a Compliants Logbook. The Compliants Logbook has the sole purpose of being a record of all complaints lodged at polling station level. Presiding Officers have been trained to deal and make decision on the complaints arising from their respective polling stations. The Commission has also provided a District Compliants Logbook for all complaints that may relate to the processes at the District. All complaints logbooks will be carried together with all results records to the National Tally Centre.

All general complaints that do not directly relate to particular polling stations or district tally centre may be physically lodged in writing at the National Tally Centre in Blantyre. Complainants are encouraged to provide full details. The Commission will also receive complaints submitted through the official email address: complaints@mec.org.mw .

The Commission will not entertain complaints submitted through Whatsapp, Facebook, Twitter and other social media platforms.

Appeal for peace and calm

The Commission is appealing to all stakeholders to maintain peace and calm as the vote counting and tallying process is underway. Leaders should refrain from uttering statements that can provoke their members, followers or supporters to engage in acts of violence or civil disobedience.

The Commission will remain focused and vigilant on its goal on delivering a credible election in fulfilment of its mandate of the Commission.

May God bless you

Bless our country