



**UPDATE 04: RECEIVED RESULTS AND COMPLAINTS**  
**BY MEC CHAIRMAN, JUSTICE DR CHIFUNDO KACHALE**  
**24.06.2020**

My Fellow Commissioners

The MEC Chief Elections Officer, Mr Sam Alfandika

Representatives of Various Political Parties

Members of the Diplomatic Missions accredited to Malawi

Commissioners of the Malawi Human Rights Commission

His Grace, Archbishop Thomas Msusa and members of the clergy

Representatives of Civil Society organisation

Members of the Press

Staff from the Malawi Electoral Commission

My fellow Malawians

Good evening

The Commission is once again before you to present an update on the progress of tallying and receiving of results at the National Tally Centre in Blantyre.

**Update on receiving of results at the National Tally Centre**

Each time results arrive at the Today the Commission has started receiving results from the councils that are being brought physically

to the National Tally Centre by Returning Officers. As of 7pm today, the Commission had received results from the following districts:

- Chiradzulu
- Mwanza
- Likoma
- Phalombe
- Neno
- Blantyre
- Zomba
- Balaka
- Mulanje
- Nsanje

As results arrive at the National Tally Centre political representatives, Civil Society Representatives and a representative of the media are invited each time to inspect the seals on the kits that were used to capture the results if they are intact or not. It has been noted that some districts brought unsealed kits. **The Commission will undertake to ensure that what is uploaded on to our server is the same as the result on the original result sheet.** From there the Commission is proceeding to upload the results on our server directly by connecting the kit. The Commission is providing party representatives at the National Tally Centre with a copy of the signed result sheet for every polling station and also a copy of the captured result sheet for every polling centre but also showing the results for each polling station. The purpose of giving the results to the party representatives is for them to compare what the Commission has received with what the party monitors or observers also got from the centres.

The Commission wishes to clarify that it will make a decision on the final winner basing on the results that are presented to it by the Returning Officers and not those on the social media or being announced on various radio stations.

### **Handling of null and void votes**

As was communicated before, the Returning Officers are also bringing the null and void votes to the national tally centre for the Commission to determine on them. According to Section 97, the Commission needs to review and confirm that every null and void vote was really affirmative. The Commission will soon be reviewing all the votes that have been classified by Presiding Officers to be null and void.

### **Complaints received and determinations**

In accordance with section 113 of the Parliamentary and Presidential Elections Act (PPEA), the Commission provided Electoral Complaints Logbook as required under section 70 (h) of PPEA. Complaints lodged at a polling station must be resolved by the Presiding Officer. If not resolved, the Commission is required to examine and determine the same.

The Commission has so far reviewed Electoral Complaints Logbooks from the following districts:

1. CHIRADZULU

The Commission has reviewed all the 122 Electoral Complaints Logbooks provided for polling stations under Chiradzulu District to see if there are complaints that were not satisfactorily resolved at polling station. Having examined all the Electoral Complaints Logbooks, the Commission has observed that all the complaints were resolved satisfactorily and require no further consideration.

## 2. LIKOMA DISTRICT

The Commission has reviewed all the 12 Electoral Complaints Logbooks provided for polling stations under Likoma District.

Having gone through the said log books, there were no complaints that were not satisfactorily resolved to require the Commission to examine and make decisions on them. Through all the Electoral Complaints Logbooks, the Commission has noted that all the complaints were resolved.

## 3. MWANZA DISTRICT

The Commission has reviewed all the 67 Electoral Complaints Logbooks provided for polling stations under Mwanza District.

Having gone through the logbooks, there were no complaints that were not satisfactorily resolved to require the Commission to examine and make decisions on them. Through all the Complaints Logbooks, the Commission has noted that all the complaints were resolved.

The Commission is still in the process of reviewing the complaints log books from the remaining districts.

#### 4. NATIONAL TALLY CENTRE

The Commission has also received a complaint on allegations of violence perpetrated by MCP/UTM functionaries on DPP/UDF party representatives in the following areas:

(a) Mulinde Ward

The allegation is that DPP/UDF representatives were hacked and assaulted and that the vehicles they were travelling in had been torched by MCP/UTM functionaries.

(b) Mangochi Rest House, Lilongwe;

The allegation is that DPP/UDF monitors were abducted at Mangochi Rest house in Lilongwe by MCP/UTM functionaries to prevent them from performing their duties.

(c) Lilongwe Mapuyu North;

The allegation is that DPP/UDF monitors were assaulted by MCP/UTM functionaries without any justification.

(d) Lilongwe Kasiya

The allegation is that DPP monitors were chased and prevented from performing their duties by members of the Nyau and gulewamkulu cult.

The Commission will be meeting over these complaints and will communicate to the complainants its determination. If it requires intervention of other relevant institutions the Commission will also seek their indulgence in good time.

In the morning the Commission announced that it had received a complaint from Mr Peter Sinosi Dominico Driver Kuwani regarding the candidature of Professor Arthur Peter Mutharika and Dr Lazarus Chakwera. The Commission held a meeting immediately after the briefing in the morning. The Commission has come up with its determination on the matter which has been transmitted to the complainant. Briefly the Commission has found that Mr. Kuwani has failed to make a valid claim to justify the nullification of the candidature of Professor Arthur Peter Mutharika and Dr. Lazarus Chakera. Therefore, Mr. Kuwani's complaint has been dismissed.

### **Announcement of determined results**

Since the Commission has started receiving results, it has started going through them and making its determinations. This is being done district by district in no order of priority or relevance. The Commission will be taking a district as a batch. The Commission appreciates how important it is to release the final results and we will do everything possible we can to ensure that we are done with this process in time. However, this will not be done at the expense of legality of the process and quality controls. Where the public feels that we are not moving at a faster pace than expected, our appeal

is that you should be patient and understand that the Commission does not wish to be faulted on procedure and legality.

The Commission emphasises its appeal to politicians and members of the public to refrain from violence and maintain peace. We are all Malawians first before we become members of the Malawi Congress Party, Mbakuwawaku Movement for Development and the Democratic Progressive Party. What binds us together as Malawians is much stronger than what separates us.

### **Withdrawal of the case against Commissioners**

As you are aware, Dr Lazurus Chakwera was granted leave to commence judicial review proceedings to review the appointment of Commissioner Nanthuru, Commissioner Duwa, Commissioner Mathanga and Commissioner Kunje.

The Commission has been informed that this matter has been withdrawn. The Commission has felt compelled to inform you about this development, because, it arose in one of the questions from the press.

May God bless you and bless the nation.

Thank you