



**UPDATE 06: DETERMINATION OF RESULTS AND COMPLAINTS
HANDLED**

BY MEC CHAIRMAN, JUSTICE DR CHIFUNDO KACHALE

25.06.2020

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

members of the clergy

Representatives of Civil Society organisation

Members of the Press

Staff from the Malawi Electoral Commission

My fellow Malawians

The Commission sincerely thanks and appreciates all the Returning Officers, Presiding Officers, polling clerks, drivers and everyone who was involved in the polling process from polling station to the District Tally Centre. The Commission also appreciates the great work and service rendered by the security institutions at polling station, district

tally centres and also in escorting the presiding officers to the national tally Centre. The polling process has been a success because of the dedication of all officials in playing their various roles.

The Commission commends all voters for keeping peace and order. The Commission continues to appeal to the general public to remain calm and patient as the Commission is determining the results.

Complaints received so far

The Commission this afternoon received a complaint from the democratic progressive party. The Complaint relates to the Commission's obligation to examine votes classified as null and void. This is a function of the Commission under section 97 of the Parliamentary and Presidential Elections Act. The DPP has complained that the Commission is conducting this exercise without consulting Party Representatives. This function is the mandate of the Commission. The Classification of the null and void votes is done at the polling station. It is witnessed by all electoral stakeholders including Party Representative. The Commission is not counting the votes at this stage. All Party Representatives who were at the Polling Stations received copies of the Brief Summary of Results. The Brief Summary of Results has information on the null and voids. Under section 97 of the Act, the Commission is simply affirming of correcting the decision of Presiding Officers. The decision of the Commission in this activity is being shared with the public and all stakeholders have

the liberty to verify. The Commission has therefore dismissed this complaint.

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. As explained before, complaints lodged at a polling station must be resolved by the Presiding Officer. However, if the complaint is 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:

NENO

Out of the total 57 Electoral Complaints Logbooks, 57 have no recorded complaints. Complaints were recorded in 21 logbooks. All complaints recorded were resolved at the Polling Station by the Presiding Officer and no complaint has been referred to the Commission for determination as an appeal.

PHALOMBE

Out of the total 266 Electoral Complaints Logbooks, 213 do not have any recorded complaints. Complaints were recorded in 53 Logbooks. All complaints recorded were resolved at the Polling Station by the Presiding Officers and no complaint has been referred to the Commission for determination as an appeal.

A summary review of the complaints in record log books has showed that most the Presiding Officers were recording occurrences and incidents in the Record of the Polling Process at the Station and they include:

1. A voter's name not showing in the Voters' register and the PO resolving not to allow the voter to vote.
2. A voter soiling a ballot paper and being issued another one.
3. Voters who transferred out showing up at the same centre to vote.
4. Registered voters who did not transfer to the centre demanding to vote. Presiding Officer did not allow them.
5. Unregistered Voter insisting on voting
6. Voters Registered after 21st May 2019 Tripartite Election insisting on voting
7. Party representatives demanding that new or more polling stations be created at a centre.
8. Party representative being replaced on the polling day
9. A voter requesting to vote on behalf of another voter who was in hospital. It was resolved not to allow her to vote.

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 make a final determination on them. According to Section 97 of the PPEA, the Commission is required to review and

confirm the Presiding Officer's determination of null and void votes. The Commission has gone through the null and void results from several councils. The Commission has found out that some votes were wrongly classified as null and void and will add them to the totals of the candidates as follows:

LIKOMA

The Commission has examined a total of 21 null and void votes from the district. The Commission has confirmed 19 as null and void, has corrected votes which have been classified as valid and these have gone to the candidate Arthur Peter Mutharika of DPP

MWANZA

The Commission has examined a total of 174 null and void votes from the district. The Commission has confirmed 172 as null and void, has corrected 2 votes which have been classified as valid votes as follows:

- Lazarus Chakwera, MCP: 01 vote
- Arthur Peter Mutharika, DPP: 01 vote

CHIRADZULU

The Commission has examined a total of 1,458 null and void votes from the district. The Commission has affirmed 1,407 as null and void, has corrected 51 votes which have been classified as valid votes as follows:

- Lazarus Chakwera, MCP: 06 votes

- Peter Dominico Sinosi Driver Kuwani, MMD: 02 votes
- Arthur Peter Mutharika, DPP: 43 votes

NENO

The Commission has examined a total of 390 null and void votes from the district. The Commission has confirmed 372 as null and void and, has corrected 18 votes which have been classified as valid votes as follows:

- Peter Dominico Sinosi Driver Kuwani, MMD: 02 votes
- Arthur Peter Mutharika, DPP: 16 votes

MULANJE

The Commission has examined a total of 2,607 null and void votes from the district. The Commission has confirmed 2,529 as null and void, has corrected 78 votes which have been classified as valid votes as follows:

- Lazarus Chakwera, MCP: 10 votes
- Peter Dominico Sinosi Driver Kuwani, MMD: 01 vote
- Arthur Peter Mutharika, DPP: 67 votes

PHALOMBE

The Commission has examined a total of 1,880 null and void votes from the district. The Commission has confirmed 1,844 as null and void, has corrected 36 votes which have been classified as valid votes as follows:

- Lazarus Chakwera, MCP: 2 votes

- Arthur Peter Mutharika, DPP: 34 votes

The corrected votes will be added to the final tally of each candidate at the end.

Determined results

The Commission continued to look at the results and make its determination.

Tonight, the Commission is releasing results for the following districts:

(Refer to results sheets)

Please that advised that these district summary results will change when the reclassified null and void votes at the end of the exercise.

Also be informed that the results are also available on MEC website: www.mec.org.mw .

The Commission will be back tomorrow with more updates.

May God Bless you and bless our country