



**RESULTS DECLARATION SPEECH BY CHAIRMAN, JUSTICE DR
CHIFUNDO KACHALE**

FOR NOVEMBER 10 BY-ELECTION IN

Karonga Central Constituency

Lilongwe North West Constituency

Makhwira South Ward in Chikwawa

UMODZI PARK, LILONGWE

- 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
- 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 10, 2020 in the following areas:

- Karonga Central Constituency
- Lilongwe North West Constituency and
- Makhwira South Ward in Chikhwawa

The Commission met earlier today to determine on the results received from the Returning Officers from the three councils where we had the vacancies and declare winners. Before I announce the final results and declare the winners allow me to give a brief background of the process.

Background to the vacancies

At the time we started preparation for by-elections, there were six vacancies as follows in:

- Karonga Central Constituency,
- Lilongwe North West Constituency,
- Mangochi West Constituency,
- Mangochi North East Constituency,
- Phalombe North Constituency, and
- Makhwira South Ward in Chikwawa.

Vacancies in three of the above constituencies arose because the High Court nullified the results for the 2019 parliamentary elections in the areas, thus:

- Mangochi West Constituency,
- Mangochi North East Constituency, and
- Phalombe North Constituency.

In Lilongwe North West Constituency, the vacancy arose because the Member of Parliament who was elected in 2019 had to relinquish the position to contest for presidential elections as required by Section 80 (7) (e) of the Constitution of the Republic of Malawi.

In Karonga Central Constituency and Makhwira Ward the vacancies arose because the MP and Ward Councillor elected in 2019 passed away. May their Souls Rest in Peace.

Inspection and registration of voters

The Commission launched the by-elections activities in all the six vacant areas on 10th September, 2020 and planned to conduct voter registration and update from 14 to 27 September, 2020 in all the six areas to give an opportunity for those that had attained the voting age of 18 years and eligible voters that did not register during the 2019 registration drive. However, in the course of the exercise, the Commission was served with an injunction from the courts which stopped registration of new voters and opening of the nomination process to new candidates in Mangochi North East Constituency. The matter went to full hearing and in end the High Court gave an order that restricted voting and contesting to those that participated in the 2019 elections in all the areas that fell vacant as a result of court nullification.

The other three areas, where we held the by-elections on 10th November 2020, were not affected by this judgement. The Commission proceeded with registration of new voters and voter verification. The exercise was a success and registered 2,756 new voters of which 1,517 are females and 1,239 are males. This brought the total number of registered voters for the three by-election areas to 93,534. The summary of the registration figures according to ward and constituencies is as follows:

Ward/Constituency	New registered voters			2019 voters	Total 2020 voters
	Male	Female	Total		
Karonga Central	560	636	1,196	14,984	16,180
Lilongwe North West	573	758	1,331	55,244	56,575
Makhwira South Ward	106	123	229	20,550	20,779
Total	1,239	1,517	2,756	90,778	93,534

During the voter register compilation exercise, the Commission quarantined 53 of the new applications for registration (23 males and 30 females) in Lilongwe North West Constituency. This was because the National Registration Bureau (NRB) quarantined the registered voters in question on suspicion that they might be minors. There were no quarantined names among the new registrants in Karonga Central Constituency and Makhwira South ward.

MEC was able to register these 53 names in the field because they had registration slips from the NRB that proved their voting age eligibility. But later, NRB advised that these names were not added to the national civil register because of the suspicion that they were minors. On the basis of this, the Commission could not add these names to its voters' register. The centres affected in Lilongwe North West Constituency are as follows:

NO	NAME OF CENTRE	NO. OF VOTERS QUARANTINED
1.	Majiga School	1
2.	Tonde School	3
3.	Kalama School	1
4.	Buwa School	1
5.	Mbewa School	3
6.	Malembo School	1
7.	Mpondamwala School	4
8.	Mwakhundi School	2
9.	Chimimba School	33
10.	Dzuwa School	1
11.	Zokoto School	1
12.	Chilowa School	2
	Total	53

The details of the quarantined names were put in the Exceptions Report for each polling station.

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, ordinarily less people came to verify their details. This is because they know they will still be able to vote. As a Commission, we do not encourage people to take that kind

of attitude. 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, the Commission received nomination papers on 7th October, 2020. In Karonga Central Constituency, the Commission received five nomination papers: three from men and two from women. Of these five, one was independent while the rest presented on party tickets. After vetting, all candidates were allowed to contest.

In Lilongwe North West Constituency, the Commission received seven nomination papers: five from male candidates and two from females. Three nominations were presented on political party tickets while four were independents. After vetting, all candidates were allowed to contest. However, in the course of the preparations for the by-elections, one female independent candidate, Ms Deborah Mitawa voluntarily withdrew from the race bringing the number of contestants to six with a lone female candidate.

In Makhwira South Ward the Commission received five nomination papers: three from females and two from males. Four presented on political party tickets while one was an independent. After the vetting process, all candidates were allowed to contest.

It is gratifying to note that for the first time since 2019, there has been a female candidate. Since May 2019 the Commission has conducted by-elections in two wards and one constituency but there was no female candidate in all those contests.

The Commission further observes that out of over 50 political parties that are active in the register of the Registrar of Political Parties, only five have contested in these elections and these are:

1. Democratic Progressive Party
2. Malawi Congress Party
3. Mbakuwaku Movement for Development
4. United Democratic Front
5. UTM

It still remains a puzzle as to why other political parties are not interested in contesting in elections despite this being a right of political parties under the Political Parties Act section 32(1).

Official campaign period

The official campaign period started on 10th September, 2020. As per requirement of the law, campaign ended at 06.00AM on 8th November, 2020.

The Commission wishes to express concern over acts of violence, intimidation and use of verbal abuse that characterised the by-election campaign activities in Karonga Central Constituency. The

Commission urges the Malawi Police Service to continue investigating all criminal activities that occurred in Karonga Central constituency and bring perpetrators of these acts before the courts for the law to take its course. We hope this would serve as a lesson to would be offenders.

At the same time, the Commission wishes to commend the people of Makhwira Ward and Lilongwe North West for maintaining law and order during the same period. The Commission did not receive any complaint from these two areas.

The Commission also observed that some campaign activities violated Covid-19 regulations. We strongly urge all institutions that are responsible for enforcing the regulations to be vigilant even when the violation is done during political campaign times. Campaign activities should not be seen as a passport to violate the preventive measures. It should be a personal responsibility of leaders and supporters to abide by these safety regulations. It is only a healthy population that can meaningfully and effectively participate in the affairs of the state.

Polling, counting and results

Polling took place on the 10th of November, 2020. All polling stations opened on time and ran uninterrupted. Counting of results began immediately after close of the polls in the same polling stations where polling took place. Results from the polling stations were taken to the District Commissioner where they were tallied but also sent to Lilongwe where MEC set the National Tally Centre for these by-elections. I

should thank all parties and candidates who sent their representatives to polling and tally centres to monitor the counting process. Their presence enhanced the transparency and credibility of the process. And would like to appreciate the presence of Commissioners and its staff for facilitating the whole 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. At the time we raised an alarm for a deficit, government released K795 million to enable us finish the process.

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

The Commission also appreciate the efforts by 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 details.

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

areas. The Commission did not receive any report of Traditional Leaders engaging in partisan conduct like creating no-go-zones and favouring a particular candidate or party. This is how traditional leaders should behave and others should emulate that example.

The Commission continues to appreciate the roles the Malawi Police Service plays in providing security throughout the process and the media for sensitizing the public on these by-elections and publishing accurate and correct information.

The Commission recognizes and appreciates the District Commissioners, and members of the District Election Supervisory Teams who managed the elections on the ground. You will agree with me that the teams did a generally good job. I should also thank the Multiparty Liaison Committees, especially in Karonga Central, for working hard to quell violence and also deal with issues that emerge during campaign and also polling.

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!

I should also thank the board of the Centre for Multiparty Democracy (CMD) for always being there for consultations with the Commission

on implementation of electoral activities because they are key-stakeholders.

In a special way, the Commission would like to appreciate the counsel and wisdom provided by the Presidential Task Force on Covid-19 when we were planning for these by-elections. Covid-19 has changed the way we do things. At the same time the Commission wanted to conduct by-elections in a manner that protects the lives of all people. The advice from the Task Force was so illuminating that it gave us the boldness to go ahead at a time when other countries are putting off-elections because of the pandemic.

Finally, I should also express sincere gratitude and appreciation to all registered voters in the three areas for turning up for voting. That is the ultimate love a member can show a party or favourite candidate.

Analysis of Complaints

Distinguished Ladies and Gentlemen. It is a requirement that at the beginning of the results of an election the Commission must resolve all matters that have been subject of complaints.

The Commission considered complaints received as appeals from polling stations and other complaints lodged directly to the Commission. In accordance with section 70 (h) of the Parliamentary

and Presidential Elections Act, the Commission provided all polling stations with Complaints Logbooks. In accordance with section 113 of the Act, all complaints, any irregularity must be submitted at the polling stations should be resolved by the Presiding officer at the polling stations. If the complaints are not satisfactorily resolved at that level of authority, the complaints shall be examined and decided upon by the Commission. Where an irregularity has been confirmed, the Commission must take action to correct the irregularity and the effect of the irregularity on the election outcome.

In respect of these by-elections the Commission retrieved and reviewed all the Electoral Complaints Logbooks which were placed at the Polling Stations. It was observed that all complaints that had been recorded were resolved at the Polling Stations and the District Tally Centres.

Complaints lodged directly with the Commission

The Commission received, deliberated on and resolved 1 complaint lodged in relation to the conduct of the by-election in Karonga Central Constituency. This complaint was lodged by Hon. Frank Mwenifumbo. The complaint has been dismissed for lack of merit. The Commission's written determination has been sent to the complainant. The Commission also received 1 complaint in relation to the conduct of the by-election in Lilongwe North West. This complaint

was lodged by Mr Goodwell Ndiwo Banda. The complaint has been dismissed for lack of merit and the Commission's determination has been communicated to the complainant.

Examination of null and void votes

It is also a requirement that the Commission must examine all the votes that have been classified as null and void in accordance with Section 97 of the Parliamentary and Presidential Elections Act. The reason for this examination is allow the Commission to determine whether decisions made at the polling stations should be affirmed or corrected.

The Commission having examined the null and void votes, has made the following determinations:

- Lilongwe North West: The Commission examined 179 null and void votes, affirmed 178 as such and corrected 1 vote which has been allocated to Mr Bryson Majoni, Independent.
- Karonga Central Constituency: The Commission examined 42 null and void votes and has affirmed all the votes as properly being described as null and void.
- Makhwira South Ward in Chikwawa East Constituency: The Commission examined 116 null and void votes, affirmed 115 votes and corrected 1 votes which has been allocated to Ms Mary Medison, Independent.

Declaration of Results

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

The Commission monitored the voting that took place on the 10th of November 2020. 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 generally.

- **Karonga Central Constituency**

Karonga Central Constituency had five candidates. With a total of 16,180 registered voters, a total of 13,027 voters turned up for polling. This represents 80.5 percent voter turnout. There were 42 null and void votes. This represents 0.3 percent of the total votes cast. The results of the voting are as follows:

- Enerst Vitto MWALUGHALI (M) Democratic Progressive Party (DPP) got 99 votes.
- Leonard MWALWANDA (M) Malawi Congress Party (MCP) got 6,763 votes.
- Frank Tumpale MWENIFUMBO (M) UTM got 6,021 votes
- Maryflorencia S. NTHAKOMWA (F) Independent got 89 votes.
- Nellie SICHALI (F) Mbakuwaku Movement for Development (MMD) got 13 votes

Distinguished Ladies and Gentlemen, on behalf of the Commission, I, Justice Dr Chifundo Kachale now declare Leonard MWALWANDA who contested as Malawi Congress Party candidate the winner in the Karonga Central Constituency by-election.

- **Lilongwe North West Constituency**

Lilongwe North West Constituency had six candidates. With a total of 56,575 registered voters, a total of 27,801 voters turned up for polling. This represents 49.1 percent voter turnout. There were 178 null and void votes. This represents 0.6 percent of the total votes cast. The results of the voting are as follows:

- Goodwell Ndiwo BANDA (M) Independent got 9,282 votes
- Blessings BOKOLA (M) Democratic Progressive Party (DPP) got 270 votes
- Dr Mphatso Jones BOTI (M) Malawi Congress Party (MCP) got 12,259 votes
- Chimwemwe KAMETA (F) Independent got 263 votes
- Bryson MAJONI (M) Independent got 5,437 votes
- Christopher NJERENGO (M) Mbakuwaku Movement for Development (MMD) got 112 votes

Distinguished Ladies and Gentlemen, on behalf of the Commission, I, Justice Dr Chifundo Kachale now declare Dr Mphatso Jones BOTI who contested as Malawi Congress Party candidate the winner in the Lilongwe North West Constituency by-election.

- **Makhwira South Ward**

Makhwira South Ward had five candidates. With a total of 20,779 registered voters, a total of 7,040 voters turned up for polling. This represents 33.9 percent voter turnout. There were 115 null and void votes. This represents 1.6 percent of the total votes cast. The results of the voting are as follows:

- Lenita Osteni LOKI (F) Malawi Congress Party (MCP) got 1,467 votes
- Mary MEDISON (F) Independent got 89 votes
- Francesca NYANGULU (F) UTM got 916 votes
- Isaac STEN (M) United Democratic Front (UDF) got 2,514 votes
- Henry TAMBU (M) Democratic Progressive Party (DPP) got 1,939 votes

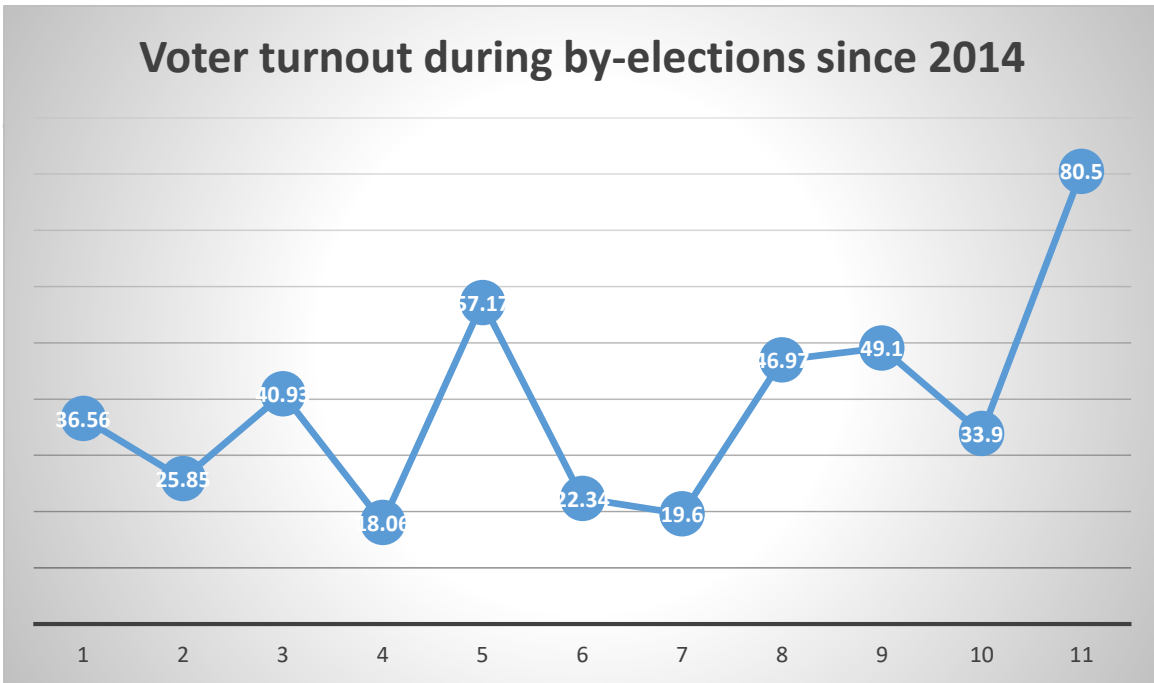
Distinguished Ladies and Gentlemen, on behalf of the Commission, I, Justice Dr Chifundo Kachale now declare Isaac STEN who contested as United Democratic Front candidate the winner in the Makhwira South Ward by-election.

Voter turnout during by-elections

The Commission has noted that every time there are by-elections there is generally low voter turnout. **This has also been the case in the by-elections held in recent times.** I can cite a few examples:

- On December 22, 2015 the Commission held by-elections in Zomba Chisi Constituency and turnout was **36.56 percent**
- On 1st November, 2016 in Mchinji West Constituency and turnout was **25.85 percent**
- On 17th October 2017, the Commission conducted by-elections in the following constituencies:
 - Lilongwe Msozi North turnout was **40.93** percent
 - Lilongwe City South East turnout was **18.06** percent
 - Nsanje Lalanje turnout was **57.17** percent
- On 5th March, 2019, the Commission conducted by-elections in Liwawadzi Ward in Balaka and the turnout was **22.34** percent.
- On 5th November, 2019, the Commission conducted by-elections in Matenje Ward and turnout was **19.60** percent
- On 30th January 2020, the Commission conducted by-elections in Lilongwe South Constituency and turnout was **46.97** percent

However, Karonga Central has this time defied this trend by hitting 80 percent voter turnout. We all need to learn something about voter mobilization from Karonga Central and see if this can be replicated in other by-elections areas in future.



KEY

Zomba Chisi	1
Mchinji West	2
LL Msozi North	3
LL City South East	4
Nsanje lalanje	5
Liwawadzi Ward	6
Matenje Ward	7
LL South	8
LL North West	9
Makwira South	
Ward	10
Karonga Central	11

Concluding remarks

I extend congratulations to the winner. In a democratic constitutional order, 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 and we believe there is always a next time.

The Commission will soon make an announcement regarding holding of by-elections in the three constituencies where the electoral processes were postponed in light of the court processes that were happening.

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

May God bless you

Bless our land