



**RESULTS DECLARATION SPEECH BY CHAIRMAN, JUSTICE DR
CHIFUNDO KACHALE
FOR 23 AUGUST BY-ELECTIONS**

24 August 2022, Katoto Secondary School Hall

- My Fellow Commissioners,
- The Chief Elections Officer, Mr Andrew Mpesi and all staff from Commission
- Representatives of various political parties and candidates here present
- Representatives of various Civil Society Organizations
- Distinguished Invited Guests
- Members of the Press
- Ladies and gentlemen

Good afternoon

On Tuesday, 23 August, 2022, registered voters in the following wards went to the polls to elect councillors:

1. Wenya Ward in Chitipa
2. Lupembe Ward in Karonga, and
3. Shire Ward in Balaka

From the close of polling, the Commission has been meeting with a purpose of doing three things:

1. To review complaints
2. To review null and void votes brought to the main tally centre by the Returning Officers; and
3. To make determination on the results brought to the main tally centre by the Returning Officers

Before announcing the final results and declare the winners, please allow me to give a brief background of the process and provide some observations from the Commission.

Background to the vacancies

Ladies and gentlemen, you might be aware that the three wards fell vacant because of deaths of the elected representatives as follows:

1. Shire Ward in Balaka fell vacant on 24 October, 2021 due to the death of Councillor Patrick Botomani of the United Democratic Front (UDF)
2. Lupembe Ward in Karonga which fell vacant on 11 December, 2021 due to the death of Councillor, Vincent Kayuni of Alliance for Democracy (Aford)
3. Wenya Ward in Chitipa fell vacant because of death of Councillor Pearson Kapira of the Malawi Congress Party on 13 June, 2022

The Commission sympathises and continues extending condolences to the bereaved families for loss of their loved ones. The Commission notes with great concern the situation in Balaka which has lost four of the eight councillors that were elected in 2019. We pray for the mercies of the Almighty God.

In accordance with section 23(2) of the Local Government Elections Act, the Commission had to organise by-elections to fill these

vacancies so that people should continue to have representation in the councils.

While on the preparation of the by-elections, allow me to address one thing regarding the period in which by-elections can be held. Section 63 (2) (b) of the Constitution of the Republic provides that a parliamentary by-election should be held within 60 days from the date of gazetting the vacancy. The said Section provides for an extension if in the opinion of the Speaker the circumstances do not admit holding of by-elections. However, there is no provision in the law of a period within which a Local Government By-election should be conducted. However, I should state that the Commission is always ready and prepared to hold by-elections as soon as a vacancy arises so that people of that ward should continue having representation. For Shire and Lupembe wards, we have taken time because they occurred at a time the Commission had exhausted its budgetary allocation for by elections for the 2021/2022 financial year. Engagements with government pointed towards making the funds available in the 2022 to 2023 financial year. The vacancy in Wenya Ward arose at a time the Commission had already submitted budget and plans to hold by-elections in the two wards that were vacant. The Commission accommodate this new vacancy within the budget that was meant for the two wards without resorting to government for more funding.

The Commission launched the by-elections on 8 July 2022 through a televised address and also held stakeholders' meetings on 9 July 2022 in all the three wards.

Inspection of voters' register and registration of voters

The Commission opened centres for two weeks for registration and inspection of the voter's register from 12 to 25 July, 2022 in all the by-election areas.

The Commission registered a total of **1,070** new voters in the three by-election areas of which **409** were male representing 37 percent and **661** were female translating to 63 percent. This brought to 37,844 the total number of registered voters for these by-elections. The summary of the new registration figures according to wards is as follows:

Ward	New registered voters			2019 voters	Total 2022 voters
	Male	Female	Total		
Wenya Ward	97	115	212	4,836	5,048
Lupembe Ward	38	35	73	7,874	7,947
Shire Ward	274	511	785	24,064	24,849
Total	409	661	1,070	36,774	37,844

During the same period, the Commission also conducted voter inspection exercise. A total of **10,110 voters** came to verify their registration details of which **3,753** were male and **6,357** were female. The breakdown is as follows:

Ward	Verification figures			2019 voters	% of 2019 registered voters
	Male	Female	Total		
Wenya Ward	1,047	1,256	2,303	4,836	47.61%
Lupembe Ward	1,041	1,222	2,263	7,874	28.74%
Shire Ward	1,665	3,879	5,544	24,064	23.04%
Total	3,753	6,357	10,110	36,774	27.49%

Nomination of candidates

Distinguished ladies and gentlemen, the Commission opened up for collection of nomination papers on 7 July 2022 to all aspiring candidates.

On 5 August, 2022 the Commission received nomination papers from the candidates. The Commission met on 8 August to review the nomination papers received and approved all the candidates who had presented the nomination papers.

However, there are some observations which the Commission wants to highlight regarding participation in elections as follows:

1. The country has 13 registered political parties, and this by-election is the first to come after the party registration exercise by the Registrar of Political Parties. Seven political parties managed to field at least a candidate, which is a noticeable improvement from the past by-elections. Though it is not compulsory, the Commission was expecting more parties to participate because this was their platform to test their popularity.
2. Of all the 15 candidates contesting in the three wards, there is no woman or person with disability standing. This comes at a time when the Commission has been steadfast in encouraging the special interest groups to stand in elections by offering a discount on nomination fees. The absence of women candidates triggers thoughts that maybe the nomination fees incentive comes late in the process when the targeted population has already been eliminated by the system. Again, the Commission wishes to emphasise the need for parties to put in place measures to encourage women, the youth, and people with disabilities to contest in elections. During these by-elections there was absence of the lobby and advocacy groups for women representation. It should also be borne in

mind by them that by-elections are opportunities to alter the statistics for the better.

Official campaign period

The official campaign period started on 9 July, 2022. As per requirement of the law, campaign ended at 06.00AM on 21 August, 2022 which was 48 hours to the polling day.

The Commission wishes to commend the people in the by-election areas for maintaining law, order, peace, and calm during the entire period.

Polling, counting and results

Polling took place on the 23 August, 2022. 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 Returning Officers who brought them to Katoto Secondary School in Mzuzu where MEC set up the Main Tally Centre.

The Commission would like to thank all political parties and candidates who sent their representatives to polling stations and tally centres to monitor the counting process. Their presence enhanced the transparency and credibility of the entire results management process. And would like to appreciate the presence of all MEC Commissioners and staff in facilitating the entire process.

Civic and Voter Education

In order to fulfil its mandate of conducting civic and voter education as provide under the law, the Commission produced and distributed civic and voter education materials such as posters, brochures and voter information letters to all chiefs and religious leaders in the concerned areas.

Using TNM and Airtel networks, the Commission also sent SMS to subscribers based in the by-elections areas.

For the first time, the Commission employed village night criers to spread messages about elections. In the past, the Commission used to send teams with loudhailer vehicles to go and spread messages about elections. While the teams managed to cover wider areas, the challenge was that that their reach was limited to areas accessible by vehicles. Some hard-to-reach areas would be left-out. The village night criers came in to fill in this gap and ensured that all people got the messages. The night criers were employed from same areas where the by-elections were taking place. Because they were acquainted with the village short-cut routes, it was envisaged that they would reach every household.

The night criers were placed at village level, in the same village they came from. They were identified through group village headmen

who were asked to nominate one person per village from their pool with experience and ability to do the work. The Commission also took time to train the village night criers on how to do their work and what information to give like dates for voter registration and update, eligibility to register as a voter and the requirements. The Commission will be evaluating and assessing this novel concept on how it can be used effectively in future elections.

Appreciation to stakeholders

The Commission wishes to extend its appreciation to Government through the Ministry of Finance for timely release of funds to conduct the by elections.

In a special way, the Commission would like to appreciate the assistance the Accountant General Ms Jean Munyenembe for her personal interest to have funds processed in time for the Commission to make payments for field staff. She was able to prioritise processing electronic transfers at a critical time. We are really grateful for this.

As MEC, we continue to cherish the role the Malawi Police Service plays in providing security throughout the process. We also greatly recognize the vital role that the media play in sensitizing the public on these by-elections and all our activities as MEC.

The Commission recognizes and appreciates the District Commissioners and other officials from the three councils and the Ward Returning Officers for a job well done. The Commission also acknowledges members of the District Election Supervisory Teams who managed the by-elections on our behalf on the ground. We would also like to thank the Multiparty Liaison Committees, and various political party leaders for the collaboration we had in preparation and conduct of these by-elections.

I would also like to convey my personal 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 all I say well done and keep it up!

In a special way, the Commission commends MEC field staff that conducted the electoral process on the ground.

Finally, the Commission expresses its sincere gratitude and appreciation to all registered voters for turning up for voting. That is the ultimate love a member of the society can show in a democratic dispensation.

Complaints and Offences

Distinguished Ladies and Gentlemen. It is a requirement that at the beginning of the determination of the results of an election the

Commission must resolve all matters that have been subject of complaints.

Complaints to be lodged with the Commission must be in relation to irregularities at any stage of the electoral process. In accordance with section 96 of the Local Government Elections Act only complaints that have not been satisfactorily resolved at the lower level of authority are the ones that must be determined upon by the full Commission.

Complaints alleging irregularities and reports of commission of electoral offences must be differentiated to eliminate the impression that the Commission has the capacity to resolve and make determination on each and every grievance that is lodged with it. Some of the complaints that the Commission receives are typical allegations that electoral offences have been committed. All offences must be treated as such and must be dealt with in accordance with the procedures set by the law and by bodies and institutions that are mandated to handle criminal offences.

COMPLAINTS AND CHALLENGES DURING POLLING

The Commission has considered all complaints logbooks and it has noted that all complaints were resolved at the polling station and that no complaint was lodged with the Commission at the main tally centre.

However, we would like to highlight that the Commission has recorded that a person was arrested by the Police in Karonga for allegedly issuing handouts. The issuing of handouts is a criminal offense under the Political Parties Act. The Commission takes integrity of elections seriously and will be making a formal follow-up with the police to ensure that the matter is conclusively investigated and when found necessary prosecuted. The Commission will not allow that offenders and breakers of electoral laws are not left free.

Examination of null and void votes

The Commission, having examined the null and void votes, in accordance with section 81 of the Local Government Elections Act has made the following determinations:

- **Wenya Ward:** The Commission examined **16** null and void votes, affirmed **13** as such and corrected **3** votes which have been allocated as follows:
 - Cremsad Mathews KAYIRA (M), Democratic Progressive Party (DPP) got 1 vote
 - Ginford MUNTHALI (M) Alliance for Democracy (Aford) got 1 vote
 - Henry Sylvester NG'AMBI (M) UTM got 1 vote

- **Lupembe Ward:** The Commission examined **11** null and void votes, affirmed **all of them** as such.
- **Shire Ward:** The Commission examined **78** null and void votes, affirmed all of them as such.

Declaration of Results

Distinguished Ladies and Gentlemen, on behalf of the Commission, I will now proceed to declare the results.

The Commission monitored the voting that took place on the 23 August, 2022. We are satisfied that it was conducted in an environment where the electorate 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 democratic will of the voters. The Commission, therefore, declares this election as a credible one that has met legal requirements and international best practices generally in as far as free and fair elections are concerned

There was a total of **37,844** voters in all the three wards of which **12,284** turned out for polling representing **32.46** percent overall. Total valid votes cast were **12,182** and total null and void results were **102**. The results are as follows:

- **Wenya Ward, Chitipa Wenya Constituency**

Wenya Ward had five candidates. With a total of 5,048 registered voters, a total of **2,499** voters turned up for polling. This represents **49.5** percent voter turnout. There were **13** null and void votes. This represents **0.52** percent of the total votes cast. The results of the voting are as follows:

1. Mike KAPIRA (M), Freedom Party (FP) got 89 votes
2. Cremsad Mathews KAYIRA (M), Democratic Progressive Party (DPP) got 304 votes
3. Ronald KAYIRA (M), Malawi Congress Party (MCP) got 1,663 votes
4. Ginford MUNTHALI (M) Alliance for Democracy (Aford) got 208 votes
5. Henry Sylvester NG'AMBI (M) UTM got 222 votes

Distinguished Ladies and Gentlemen, the Commission declares Ronald KAYIRA who contested as Malawi Congress Party candidate the winner in the Wenya Ward by-election.

- **Lupembe Ward in Karonga Central Constituency**

Lupembe Ward had four candidates. With a total of 7,947 registered voters, a total of 3,972 voters turned up for polling. This represents 49.9 percent voter turnout. There were 11 null and void votes. This represents 0.14 percent of the total votes cast. The results of the voting are as follows:

1. Innocent Kalesi GONDWE (M), Democratic Progressive Party (DPP) got 542 votes
2. Atusaye Mabata MWENIFUMBO (M), UTM got 1,542 votes
3. Ken SIMSOKWE (M), Alliance for Democracy (Aford) got 286 votes
4. Elisha Mwaikato WINGA (M), Malawi Congress Party (MCP) got 1,591 votes

Distinguished Ladies and Gentlemen, the Commission declares Elisha Mwaikato WINGA who contested as got Malawi Congress Party candidate the winner in the Lupembe Ward by-election.

- **Shire Ward, Balaka Central East Constituency**

Shire Ward had six candidates. With a total of 24,849 registered voters, a total of 5,813 voters turned up for polling. This represents 23.3 percent voter turnout. There were 78 null and void votes. This represents 1.34 percent of the total votes cast. The results of the voting are as follows:

1. Ellason Shukulani CHAMBO (M) INDEPENDENT got 75 votes
2. Enock Gidion CHIDOTHI (M) Alliance for Democracy (Aford) got 742 votes
3. Tindoh Tendai MATOGA (M), Malawi Congress Party (MCP) got 274 votes
4. Ishmael Ganizani MPINDA (M), Democratic Progressive Party (DPP) got 1,922 votes

5. Dickson Jackson WASILI (M), United Democratic Front (UDF) got 2,545 votes
6. Daudi Mpini YASSIN (M), Umodzi Party (UP) got 177 votes

Distinguished Ladies and Gentlemen, the Commission declares Dickson Jackson WASILI who contested as United Democratic Front candidate the winner in the Shire Ward By-election.

Concluding remarks

Allow me on behalf of my fellow Commissioners to extend congratulations to the winners. Please go and deliver the promises made during the campaign period and please celebrate with responsibility. To those that have not made it I say, there will always be next time. Go, reflect, and plan on how to win next time.

I wish to thank everyone for participating in these by-elections and allow me to thank my colleagues in the Commission for all the hard work.

May God bless you

Bless our land of Malawi.