



Election Situation Room Press Briefing at 14:30 on 24th June 2020

**For the Attention of:
Malawi Electoral Commission**

Security Agencies

ALL Media Houses

ALL Political Parties and candidates

PRESS BRIEFING ON THE STATE OF ELECTION PROCESS BASED ON OBSERVATION DATA TRANSMITTED TO THE ELECTION SITUATION ROOM ESR

Introduction

The Election Situation Room continued to receive and verify reports from polling centres until late into the night. At this stage we would like to share with you our observation related to closing of polling stations, counting of votes, initial announcements and transmission of results to District tally centres. We also want to share other observations related to the electoral process so far.

A. General observations

- i. Generally, the electoral process so far has been good without major hiccups or bottlenecks. The CCJP, NICE, PAC consortium, would like to commend stakeholders and the Electoral Commission in particular, given the time and resource constraint in managing this election;
- ii. The Consortium also commends security agencies for their professionalism, diligence and rapid response in supporting the electoral process with logistical services as well as

ensuring safety and security of polling staff, polling materials and the electorate;

- iii. At this stage, the Consortium commends the Electoral Commission for promoting transparency in vote counting, tallying, and displaying of results at appropriate places for the general public to see. This goes a long way in mitigating fears of rigging that are making rounds on social media. The CSO consortium would like, therefore, to appeal to the general public to take note that the results they are accessing at this stage are not official and should be treated with caution.
- iv. The Consortium also appeals to the general public to take due cognizance of the electoral law, especially section 96(1) of the Presidential and Parliamentary Elections Act (PPEA) which stipulates that the Electoral Commission shall determine and publish the national result of an election based on the records delivered to it, from districts and polling stations. In section 96(2), it further stipulates that the determination of the national result of the election shall begin immediately after the Commission has received records from **all districts** and shall continue uninterrupted until concluded.
- v. In view of this we appeal to stakeholders, particularly candidates and political parties to refrain from mounting unnecessary and unwarranted pressure on the Electoral Commission to release results before completing its due process according to law.
- vi. The Consortium further appeals to political stakeholders to desist from making political statements based on fake news and unofficial results. Any grievances should be channeled through established grievance redress mechanisms to the Electoral Commission.

B. Specific Observations

i. Closing of polling

- All polling stations closed on time ensuring that each polling station was open for a maximum period of 12 hours for voting.

ii. Lighting for counting of votes

- Adequate lighting is reported in 97 per cent of the centres. A few centres had in adequate lighting due to malfunctioning gas lamps. E.g. Matengele School in Chiradzulu.

iii. Observations during vote counting

- **Party representatives** were available at closing and counting of votes in 98 percent of

centres. CSO observers were present in all the centers during vote counting. We note that for this fresh presidential election there has been high uptake of civic duty by citizens to safeguard the votes and ensure the credibility of the electoral outcome.

- **Transportation of results to District Tally Centres ;** The ESR has not received any report suggesting bottlenecks in the transportation of results and election materials from the polling centres to the District Tally Centres. We therefore take the view that it has been smooth. However, in a few instances such as in Chiradzulu (Chikwilira centre) and Neno (Mkomaliwiro centre), the record books were locked in the ballot boxes. These were reopened and resealed and serial numbers were recorded according to procedural requirements
- **Identification and determination of a ‘null and void’ vote. ;** The ESR has received reports of disputes during vote counting related to the identification and determination of a ‘null and void’ vote. E.g. Chimutu Centre; and Kalonga school in Maria ward of Lilongwe City Centre constituency electoral stakeholders had to intervene to resolve the matter;
- **Incidences of violence:** The ESR has received a report that three people, armed with illegal weapons, invaded the District Tally Centre in Mzimba. They were arrested by the Military and handed over to the Malawi Police. A criminal case has been opened.
- **Displaying of Tallied Results;** Reports indicate that tallied results of all polling stations were announced and displayed publicly and accessed by all the party representatives, observers and media practitioners. We commend presiding officers for sticking to the laid protocols of transparency to ensure that the outcome of the election reflects the will of the people as expressed through their ballots.

iv. **Reports of possible disenfranchisement**

- We have received reports of disenfranchisement of voters based on the policy decision by the Commission to refuse transfer of voters. However, we noted that the Commission provided a transfer window and that the decision to refuse impromptu transfers was necessary to safeguard the integrity of the electoral process.
- In a few isolated polling stations, eligible voters were denied the right to vote despite having both the National ID and Voter Certificate because of missing names on the voters roll due to erroneous transfers. e.g. at Likoma Fisheries Center; These experiences suggest system or human failures in the administration of the election which the Commission should seek to address in future elections.
- We also received reports alleging disenfranchisement where significant numbers of

voters were denied the right to vote. On verification, we found that most of them were new registrants who, by the Court's order, were not eligible to vote and their names were not on the voters roll for the FPE. E.g. Lilongwe North East at Nkhoma school (Nalikule ward).

Conclusion

- In view of data we have received and analysed, we wish to restate our appeal for calm. We also wish to commend the security agencies for their efforts to ensure peace and order during and after polling. We also urge all citizens and party leaders to exercise restraint.
- We also call upon the Malawi Electoral Commission (MEC) to institute urgent redress mechanism should there be any complaint in relation to the elections.