



MALAWI ELECTORAL COMMISSION

**SPEECH BY MEC CHAIRPERSON,
JUSTICE DR ANASTASIA MSOSA, SC
DURING LAUNCH OF BY-ELECTION**

**MZIMBA SOUTH WEST CONSTITUENCY
AT EDINGENI TDC**

1ST AUGUST, 2012

1.0 Salutations

My fellow Commissioners

The Chief Elections Officer and all staff from MEC secretariat

The District Commissioner for Mzimba or his representative

Members of the District Elections Supervisory Team (DEST)

Members of the Multiparty Liaison Committees

The Constituency Returning Officer (CRO)

Representatives of political parties,

Chiefs and all traditional leaders

Ladies and gentlemen.

It is with great pleasure that I welcome you all to this meeting today and I urge you all to feel free. Today, the Malawi Electoral Commission is releasing an electoral calendar as we prepare to hold by-elections in Mzimba Southwest constituency which will be held on October 9, 2012.

Distinguished guests, ladies and gentlemen, there will be by-elections in this constituency in order to fill the vacancy that was created following the ascendency of Rt. Hon Khumbo Hasting Kachali to the Vice Presidency of the Republic of Malawi. In accordance with the laws of this country, there is supposed to be a by-election to elect an MP who will represent Mzimba South West constituency in Parliament.

The Malawi Electoral Commission has put in place a calendar to be followed by all who are taking part in this election as we hold elections in this constituency. The aim is to ensure that the by-elections are held in a free, fair and transparent manner. I urge you to pay attention to the details and the dates as the calendar will be announced. The whole calendar is as follows:

2.0 Registration of voters

Ladies and Gentlemen, the Malawi Electoral Commission has a register of those who participated in the elections on May 19, 2009 and those who also registered in 2010 as we were preparing to hold Local Government Elections which as you all know was stopped. The Commission is aware that there are some people who were unable to register in these two occasions more especially because they had not attained voting age. Registration will take place in all registration centers from 13th to 17th August 2012 starting from 8am to 4 pm.

Those who are eligible to register are the following:

- a. Those people who are residing in Mzimba Southwest Constituency who will have attained the age of 18 years by 9th October, 2012, which is the polling day.
- b. All those who were unable to register during the 19th May 2009 elections and during the registration for Local Government Elections in 2010 for various reasons but come from or work or run businesses in this constituency.

Let me mention here, Ladies and gentlemen that there will be no transfers during this by-election.

People from other constituencies are not allowed to register and I urge you not to allow them to do so. If found, such people will be prosecuted because this is against electoral laws.

Ladies and gentlemen, all those who registered during the May 2009 elections and 2010 Local Government Elections are also requested to go and verify their names in the centers they registered to check if their personal details are correct. I also urge them to keep safe their voting certificates so that they will be able to vote on the polling day.

If there are people who passed away but their names are in the voting register, I urge their relations to inform registration staff who will follow all proper procedures and we will have these names put on the deceased list.

Ladies and gentlemen, please, also remember that it is a crime to register more than once and if found you shall be prosecuted. Let us follow the electoral procedures so that we should have successful by-elections.

3.0 Monitors

During registration and also polling, monitors of political parties and also independent candidates, are free to be present in the centers to ensure that all electoral procedures are being followed and everything is done in a transparent and right manner. So it is the responsibility of political parties to ensure that all laws and procedures regarding elections are being followed.

In view of this Ladies and gentlemen, all political parties and independent candidates are being asked to submit names of their monitors to the Constituency returning Officer (CRO) before 6th August, 2012 for registration and before 24th September, 2012 for polling. If you fail to do so in time it will be difficult for you to have monitors representing you during registration and voting because your monitors will not be accredited. All contesting political parties and independent candidates are allowed to have a maximum of two monitors each per centre at a time. This is to ensure that there is order.

During the training of Registration Supervisors which will take place here on 10 and 11 August 2012, you are encouraged to send your monitors to observe what will be imparted to our registration staff so that they are

aware of what to observe during the registration exercise. Ladies and gentlemen, another training that monitors are encouraged to observe is when Supervisors are training clerks in the centres on 12th August 2012. Stakeholders are advised to provide for their monitors both during training and the actual monitoring.

4.0 Civic and Voter Education

Ladies and gentlemen the Malawi Electoral Commission, in conjunction with civil society organizations will be conducting civic and voter education as one way of ensuring that the elections are a success. Some of the organizations that are expected to participate in this civic and voter education exercise are National Initiative for Civic Education (NICE), Church and Society Programme of the Synod of Livingstonia, COYIDA, Mbawemi Women's Group and Malawi Carer.

I would like also mention that traditional leaders have a great responsibility of explaining to their subjects on the importance of taking part in this election. Leaders of political parties also have a very big role to play in informing constituents about key dates in the electoral calendar. Faith and religious leaders, are also being urged to inform your members about the by-elections but also to ensure that peace and calm prevail during this period.

All those who will contest in this election are reminded that it is their responsibility to educate their supporters on registration and voting procedures to complement the work that the Commission will be doing. They should also ensure that their supporters are observing the electoral law and all the rules of this exercise.

5.0 Eligible candidates

Ladies and gentlemen every citizen who is a registered voter is free to participate in this election as a candidate of a political party of his or her choice or as an independent candidate.

Interested candidates should not be less than 21 years of age. He/She should be able to speak and write English well so that he or she is able to follow and actively participate in proceedings of the National Assembly.

6.0 Nomination Forms

Ladies and gentlemen all interested candidates should obtain nomination forms from the Constituency Returning Officer (CRO) or the District Commissioner (DC) who is the District Elections Coordinator starting from 1st August, 2012, which is today.

Presentation of nomination forms to the Constituency Returning Officer will be on 31st August, 2012 and the forms should be filled properly. Prior to presentation, candidates are advised to take their nomination forms to the Constituency Returning Officer for advance examination so that they are advised whether they have filled correctly. This is to avoid the Constituency Returning Officer from rejecting the nomination papers at the time of presentation.

All those who wish to contest as candidates are required to show proof that they are registered voters.

Ladies and gentlemen candidates will also be required to deposit K100,000 with the Electoral Commission for them to contest and this is in accordance with the electoral laws. This amount is expected to be submitted to the commission when submitting nomination papers.

Interested candidates are also expected to clearly present their names and their symbols, or those of their parties, to be used on the ballot papers in a manner they wish to appear on the ballot paper. Details of these are contained in the nomination forms.

Contestants should ensure that they have gathered signatures supporting for their candidature from not less than 10 registered voters from the constituency. Registered voters are supposed to append a signature or nominate one candidate only.

Ladies and gentlemen, I urge all would-be contestants to follow proper procedures and stick to the Code of Conduct during this time as we are preparing for elections. As a form of assurance every candidate will sign this code of conduct when they will be submitting their nomination forms. This forms part of the nomination requirements.

7.0 Presentation of Nomination papers

Distinguished Ladies and gentlemen, the Malawi Electoral Commission will receive nomination papers accompanied by the nomination fee from interested candidates on 31st August, 2012 as I said earlier at this same place, the Constituency Returning Officer's office. After receiving the nomination forms, The Electoral Commission will scrutinize the forms to ensure that the candidates are eligible to contest and have met all the requirements.

8.0 Campaign

All political parties and independent candidates are free to campaign in these by-elections. The official campaign period will be from 6th September and end at 06.00am on 7th October, 2012. During this period I urge you to refrain from inflammatory language because this causes violence and violate other people's rights. Take note that the

Commission will recognize you as candidates upon successful presentation of nomination forms and fees after which official campaign will follow.

Ladies and gentlemen, the Commission will meet the successful candidates and political parties and all other stakeholders on 6th September 2012 to agree on what to follow for a clean campaign. It is the wish of the Commission that all candidates participate up to the polling day. The Commission will therefore take time to provide guidance and relevant rules of the game.

The Malawi Electoral Commission is urging all political parties and all contesting candidates when campaigning to dwell on issues and facts that can attract people to vote for them. Campaign period is an opportunity for self-marketing to the electorate, so candidates should stick to issues that will sell them to the public. You have to explain to the electorate the plans you have for them if you are successful.

During campaign period the electorate is expected to hear what the candidate will do if ushered into office. Let us refrain from hate speech, despising and threatening one another, fomenting violence, blocking other's from freely conducting political rallies and use of abusive language that can cause violence and disturbance among people.

Ladies and gentlemen, we should also not forget that the Police will be on high alert this time and will deal with anyone who breaks the law.

I would also take advantage of this opportunity to thank all people from this constituency for preserving peace and calm during the past elections. I believe that you will do the same this time around.

9.0 Polling Day

Distinguished guests, ladies and gentlemen, polling for the by-elections will take place on 9th October starting from 6.00am up to 6.00pm.

Counting of the votes will start immediately after voting at the same polling centre and results shall be tallied here at the Teacher Development Centre (TDC) and the Electoral Commission will announce the official results on 10th October, 2012 at the District Commissioner's office.

10.0 Special Message

I wish to request people from this area and all leaders of political parties to encourage women to participate in electoral processes.

Ladies and gentlemen also allow me to request all civil servants and all those working for various non-governmental organizations that are participating in these elections, that we should work with everyone who will be contesting in these elections without considering the political party one is representing. Let us give them all the support without favoritism so that there will be a level playing field and that the electorate are able to choose a candidate of their choice in a peaceful manner.

Last but not least, let the would-be contestants know that in an election, only one candidate will emerge a winner. It is my sincere hope that we will all accept the outcome of the polls on the 9th of October. On its part the Commission will endeavor to make the process peaceful, transparent, credible and fair to everyone by leveling the playing ground so that no one is advantaged over another.

11.0 Concluding remarks

I wish all the best to all people who are prepared to contest in this election. This election is a competition to serve the people of this area but also the nation.

May God, the Almighty bless you and bless our nation.

Thank you.