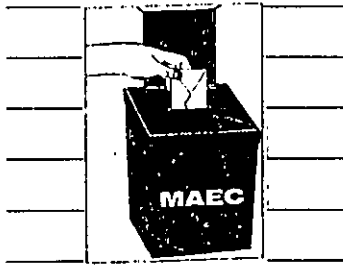


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Malawi Electoral Commission

By-Elections

Vol. 1 No. 1
August-October, 1996

Polling in Rumphu West, Blantyre City Central and Machinga North.

By-Elections Galore

The Electoral Commission on 29th August, 1996 announced that it will conduct By-elections in Rumphu West, Blantyre City Central and Machinga North Constituencies on 19th November, 1996. This follows the death of the previous holders of these constituencies. And in its release the Commission further said that Registration will be as from Tuesday, the 15th of October to Thursday, the 17th of October, 1996. Receipt of nomination papers by Returning Officers will then follow on Tuesday, the 5th of November, 1996 at the DC's office in all the three districts. Then polling will follow on 19th November, 1996 from 6.00 a.m. to 6 p.m.

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By-Elections
This Newsletter is produced by the Civic Education Committee of the Malawi Electoral Commission in preparation to the forthcoming By-elections in Rumphu West, Blantyre City Central and Machinga North Constituencies.

Who May Vote?

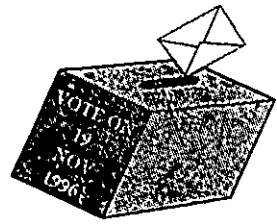
As a Malawian citizen, it is your birthright to **VOTE!** Further to this, you need to register since all registered voters are entitled to vote. Registration is open to every citizen of Malawi residing in the affected constituencies who intend to vote in the three constituencies fulfilling the following:-

- * Those who have attained the age of 18 years or they will turn out 18 years on the Polling day.
- * Those having registered in the 1994 Parliamentary and Presidential Elections and their registration certificates have been lost or defaced or torn.
- * And for those who were 18 years in 1994 but did not register.

In this regard, registration is not open to people who have good registration certificates. It is your right as well as your civic duty to register as a voter and thereafter to verify that you have really been registered so that any error or omission about your registration is corrected.

Where do you have to vote?

During the forthcoming By-elections there will be many polling stations as illustrated on page 4 spread out in the three constituencies ie Rumphu West, Blantyre City Central and Machinga North. These polling stations as you might have already noticed are schools but they might as well be



community halls, MCDE centers and the like. For you to recognise one of such places, it may be through posters or signs. Such a polling station will be the one you had previously registered at and your name appears in its particular voters roll. Should you go to a wrong station, you will not be allowed to vote as your name will not be in their voters roll. And as it has already been announced, polling (voting) is on 19th November, 1996 in all the three constituencies. Voting hours are as from 6 o'clock

in the morning up to 6 o'clock in the evening of the same day. For you, dear voter, to vote you need to be at the station within the specified voting hours otherwise you will not be able to vote.

Important People in the Voting System

In this much talked about By-elections, there will be a number of people whom you should be familiar with like:-

Returning Officer - A person in-charge of a constituency in a particular district who is appointed by the Electoral Commission.

Presiding Officer - A person in-charge of a polling station and is appointed by the Returning Officer.

Other Election Officers - One that checks your registration certificate and your name on the voters roll, One that checks your hands to see if you have already voted at some other place before, One that will ask you to deep your finger into indelible ink, One that is responsible for giving you the ballot (voting) paper and show you where to vote (booth), Counting Officers come after the voting is over to now count the votes casted.

Security Officers - Responsible for security at the center.

Party Monitors/Representatives - These are appointed and sent by their parties/interest groups to observe the whole voting process. And for you to identify all these officers, it is so easy as they will all be wearing official badges to identify themselves.

STOP PRESS

Returning Officers Appointed!
The Electoral Commission has appointed Returning Officers for the By-Elections as from 9th September, 1996. Their names are Messers Chirwa, Mtika and H.B. Potani. They are District Magistrates for Rumphu, Blantyre and Machinga respectively.

A MESSAGE FROM THE CHAIRPERSON

Welcome to the first edition of **By-elections**. As you know, we are all increasingly caught-up extensively in the coming By-Elections. These elections, as you know have spawned challenges and opportunities for voters and politicians alike. Many Malawians are now able to exercise their political voice by voting for candidates of their choice. However, many otherwise well informed people find it hard to understand what exactly is involved in the electoral process. Understanding the process, the governing electoral law and our rights can help to achieve free and fair elections.

This Newsletter is an attempt to make that task of understanding easier. It is designed to be general in nature so as to cover a wide variety of electoral processes. It is designed to assist those who feel

they need to know more about the electoral process that we are all involved in. It should also help the following target audience: candidates, individuals, political parties and their supporters, and civic organisations.

Good luck as you prepare for the coming by-elections.

From the Chairperson

Justice Anastasia Msosa
(Malawi Electoral Commission)



POLLING PROCEDURE

As illustrated on the preceding page, once a voter has arrived at a correct polling station, as indicated on his/her registration certificate, he/she is directed as follows:

(1 to 4) Here the poll clerk receives the registration certificate from the voter and calls out his/her name and number. If satisfied that the voter is the person named in the registration certificate, the poll clerk is responsible for finding his/her name in the register and marks it out by placing a tick in the register. The certificate is then stamped and handed back to the voter. The voter then told to proceed on to the next poll clerk.

(5 to 6) Here the clerk examines the voter's fingers for traces of ink if at all he/she has not voted somewhere else and later dips the voters right index finger in indelible ink. Afterwards the voter moves on to the next desk.

(7) The poll clerk here detaches the Parliamentary ballot paper from the counterfoil and hand it over to the voter along with an envelope and the voter is advised to proceed on into the voting booth where he does a number of things.

(8 to 10) From the ballot paper the voter detaches the section of the candidate of his/her choice which is depicted by the name of the candidate, political party (if any), its symbol. And this is for all the other sections as well depending on the number of contestants. Having made the choice, he/she places this into the small envelope provided and seals it right inside the booth and discards the remaining ones into the **DISCARD BOX** before leaving the booth.

(11) While outside, the voter will now deposit the sealed envelope in a box.

(12) having voted, the voter will immediately leave the polling station for home.



Make an Informed Choice

Find out what the Candidates can do for you

The candidate that gets elected on 19th November, 1996 will be part of your life for some years to come until the next Election. Each and every decision that he/she makes or contributes to in the National Assembly will affect you directly or indirectly. In this regard, it is essential that you do your homework nicely before the morning of 19th November, 1996 when you are finally to make your choice of your Member of Parliament. Your vote will help determine the quality of the MP who will represent you in the National Assembly. In this regard, it is right and proper for you to make some enquiries about him/her, attend their campaign meetings thereby *making an informed choice.*



The Role of the Media in the By-Election

In Malawi, the media consists of the public media which includes the radio and numerous newspaper we see on the streets as well as the mass communication of political parties during their political campaigns. Therefore the role of the media is to do a number of vital things during the coming by-elections like:

to inform the public truthfully and without taking sides about all the by-election issues; explain important points such as when and where to register as well as voting dates; report all by-election information truthfully and in a balanced manner; cater for illiterate people by making ample usage of pictorial material like photographs and drawings.

CANDIDATURE

Eligibility to Stand as a Candidate in the By-Elections

Every Malawian Citizen whether representing a political party or as an independent, is eligible to

stand as a candidate in the forthcoming Parliamentary by-elections slated for 19th November, 1996. This Malawian Citizen should have attained the age of twenty one years(21). He/she is able to speak and read the English language well enough to take an active part in the proceedings of the National Assembly. He/she is a registered voter in a constituency.

*

Requirements for Nomination of Candidates

To stand in the forthcoming by-elections in Rumphi West, Blantyre City Central and Machinga North Constituencies on 19th November, 1996 a candidate should ensure among other things that:

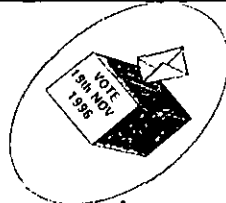
he/she obtains a nomination paper from the Returning Officer before the Nomination Day (5th Nov, 96), His/her nomination has been made by 10 (ten) registered voters in the constituency he/she intends to stand as a candidate and each of these nominees has signed the nomination paper; the candidate has endorsed his/her consent to the nomination; has specified the abbreviation of his/her name and distinctive symbol to appear on the ballot paper in conjunction with his/her candidature; has evidence or statutory declaration that he/she is able to speak and read the English language well enough to take an active part in the proceedings of the National Assembly; has/had evidence or identity that he/she is the person nominated; has the receipt for his/her deposit as a candidate; and seeks advice of the Returning Officer regarding the condition of his/her nomination paper and supporting documents before Nomination Day - 5th Nov' 96!

*

RIGHTS AND DUTIES OF REPRESENTATIVES OF POLITICAL PARTIES

Political parties have a right : - to be treated with due respect and consideration by all persons administering the registration of voters and by the representatives of other political parties. They also have a right to request and obtain information on actions relating to the registration of voters and to inform the Electoral Commission on complaints and appeals about irregularities in the registration of voters.

Where do you have to Vote?



As it has already been stated somewhere in the Newsletter, that you have to vote at the station where you are registered. If you do not know where to register the information has already been passed on the radio and the Newspapers we have in the country. So check with them but if you have not heard or seen these centres a reproduction of them is as follows:

Rumphi West

Registered Voters as at 1994 : 24,525

1. Katowo F.P. School
2. Mwazisi F.P. School
3. Bolero F.P. School
4. Kamphenda F.P. School
5. Chisinde F.P. School
6. Chanyoli F.P. School
7. Nkhozho F.P. School

8. Zolokere F.P. School
9. Chisimuka F.P. School
10. Chankharamu F. P. School
11. Lundu F.P. School
12. Luviri F.P. School
13. Chikawawa F.P. School
14. Bowe F.P. School
15. Luhono F.P. School
16. Bululuji F.P. School
17. Jumbi F.P. School
18. Kaduku F.P. School
19. Kabulufu F.P. School
20. Kanyenjere F.P. School
21. Chilinda F.P. School
22. Thazima F.P. School
23. Phangala F.P. School
24. Vuvu F.P. School
25. Chirambo F.P. School

Blantyre City Central

Registered Voters as at 1994 : 32,830

1. Blantyre Girls F.P. School
2. Makata F.P. School
3. Ndirande F.P. School
4. Nyambadwe F.P. School
5. Namalimwe F.P. School

Machinga North

Registered Voters as at 1994 : 59,494

1. Njese School
2. Ulongwe II School
3. Namanolo School
4. Namalomba F.P. School
5. Mpilisi F.P. School
6. Chembera School
7. Chendausiku School
8. Balaka L.E.A. School
9. Khwisa School
10. Nkhonde School
11. Mpiniumodzi School
12. Liwonde School
13. Ngwengwe School
14. Mzimundilinde School
15. Ngasale School
16. Binoni School
17. Nambira School
18. Kaweya School
19. Chilanga School
20. Kapandatsitsi School
21. Chisongwe School
22. Ntalikachao School
23. Mwae School
24. Misu School
25. Kafulafula School
26. Mkamwana School
27. Ulongwe I School
28. Mponda School
29. Zam'mimba School
30. Toleza School

CONDOLENCE

The Chairperson, Commissioners and Members of staff of the Malawi Electoral Commission, extend their heart-felt sympathy to the Mjuweni and Chiphikire families on the sudden demise of Miss Angella Mjuweni and Mr. D.K. Chiphikire who until their death were our Secretary and Accounts Assistant respectively. May their souls rest in eternal peace.

SAFEGUARDS FOR FREE AND FAIR BY-ELECTIONS

In the coming by-elections as well as in any other election, there are a number of controls put in place with a view to achieve a free and fair election. Among several of such controls, here we will highlight such safeguards as the electoral law, tolerance as well as the voters' role.

■ Electoral Law

In our Election Regulations, it is an offence to interfere or try to interfere with the smooth running of the election. Such offences that are listed in these regulations concern the following areas:-

Interfering with election proceedings, Interfering with the right to vote in secret, Pressurising a voter in any way, Bribery, Personation, Interfering with election related material, Interfering with free political activity as well as Publishing false information.

■ Tolerance

In a nutshell, tolerance can be said to mean the willingness to listen and put up with a different point of view, even if it is in opposition to your own. It does not mean that we all have to agree, but rather that we are free to disagree without the threat of violence. So in this way it means that there will always be political competition thereby acquiring us to settle our political differences by debate and dialogue and not by threats and violence!

■ The Voters' Role

For the success of maintaining the young Democracy of our land, it is the voters themselves who have such a task. You are therefore encouraged to protect yourselves against being misled, deprived of your rights or even intimidation. To achieve this is by being aware of your rights, the principles on which the elections are being run, of the positions and policies of the candidates and by turning up on the 19th of November, 1996 to cast your votes. If the contrary happens, whereby the results are unfair, influenced by fraud, rigging or intimidation or poor

administration, the chances of having the representative of your choice, will be reduced. So to avoid that we should have an interest in policing the coming By-elections!

FLASH BACK

17th MAY, 1994



As it were in the 1994 Parliamentary General Elections.

During the 1994 Parliamentary General Elections, for your own interest, the results were as follows:-

Rumphi West

Registered Voters : 24,525

| Name of Candidate | Party | Votes Scored |
|-------------------|-------|--------------|
| F.L. Kumwenda | AFORD | 18396 |
| A.M. Luhanga | MCP | 1652 |
| K.V. Nyasulu | UDF | 1176 |
| C.D. Mkandawire | MDP | 272 |
| K.C. Mfuno | UFMD | 184 |

Machinga North

Registered Voters : 59,494

| Name of Candidate | Party | Votes Scored |
|-------------------|-------|--------------|
| A.S.A. Itimu | UDF | 42589 |
| F.D. Dula Phiri | MCP | 3891 |
| L.S. Chimbete | AFORD | 1818 |
| B.Y. Molland | MDP | 185 |

Blantyre City Central

Registered Voters : 32,830

| Name of Candidate | Party | Votes Scored |
|-------------------|-------|--------------|
| Wit Makata | UDF | 20863 |
| H.D. M'mangitsa | AFORD | 3478 |
| Mrs. L. Maganga | MCP | 2858 |
| Golden Makata | UFMD | 162 |

Electoral Code of Conduct

The Electoral Commission under Section 61(2) of the Parliamentary and Presidential Elections Act, may prescribe a Code of Conduct to be complied with every political party in conducting its campaign in an election. In this Code there are a number of objects which are outlined as below:

◆ The object of this Code shall be to promote conditions conducive to the conduct of a free and fair election, and a climate of democratic tolerance in which political activity may take place without fear of coercion, intimidation or reprisals.

◆ All registered parties and other persons bound by this Code shall endeavour to promote its object in order to enable free political campaigning and open public debate to take place in all or some parts of the Republic of Malawi throughout the election period.

◆ Registered Parties and Candidates further commit themselves:- to give wide publicity of this Code; to comply with all the Electoral Laws and Regulations currently in force; to extend all necessary help and cooperation to law enforcing agencies throughout the election process; to extend full cooperation to the Electoral Commission and Election Officials in order to guarantee the integrity of the election and to ensure that safety and security are maintained throughout the election; to promote unbiased voter education campaigns; to condemn violence and intimidation; to instruct their candidates, office bearers, members and supporters accordingly; generally to affirm the rights of all participants in the elections; to canvass freely and safely for membership and support from voters; to allow and tolerate expression of divergent political and other opinions; to freely and honestly debate and contest the policies programmes of other parties; to hold public meetings; to attend public meetings convened by others; to distribute Electoral Literature and campaign materials; to publish and distribute notices and advertisements; to erect banners, placards and posters; to promote free electoral campaigns by all lawful means.

◆ All those bound by this Code in terms of Section 61(2), shall throughout the election period give effect to the following undertakings and stipulations:- publically and repeatedly condemn violence and intimidation, and to avoid the use of language or any kind of action which may lead to violence or intimidation, whether to demonstrate party strength, gain any kind of political advantage, or for any other reason; to refrain from any action involving violence or intimidation; to ensure that arms or weapons of any kind are not carried or displayed at political meetings or in the course of any march or other event of political nature; to refrain from holding campaign meetings :-i) within premises of military units or police stations. ii) public institutions, workplaces and educational institutions during normal working hours and period of classes respectively; to refrain from campaigning in any public place unless the political party has notified the District Commissioner in writing, with a copy of such notification to the Officer-in-charge of Police and the Returning Officer of that Constituency; to refrain from publishing or repeating false, defamatory or inflammatory allegations concerning any person or party in connection with the election; to do nothing to impede the

democratic right of any party, through its candidates canvassers and representative to have reasonable access to voters for the purposes of conducting voter education, canvassing membership and soliciting support; to discourage, and if possible, prevent the removal, disfigurement or destruction of political materials of any party; to refrain from offering any inducement or reward to any person either joining or not joining party, attending or not attending any political event, voting or not voting (either at all, or in any particular manner), or accepting, refusing or withdrawing such person's nomination as a candidate in the election; to refrain from any attempt to abuse a position of power, privilege or influence, including parental, patriarchal or traditional authority, for political purposes, including any offer of reward or threat of penalty; to avoid any discrimination based on race, sex, ethnicity, class, gender or religion in connection with the election and political activity.

In relation to the electoral process

To monitor the registration activities conscientiously and objectively through accredited political party representatives and monitors; to cooperate and avoid unjustified interference in the work of registration officers so that registration activities proceed normally and smoothly; to cooperate and assist polling officials in their duties to ensure peaceful and orderly polling; to cooperate with election officials in the counting of votes; to avoid all activities which amount to corrupt practices during voting and counting of votes; to refrain from exhibiting any form of propaganda, campaign material or advertisement inside a polling station or within a radius of 100 meters outside a polling station; to refrain from procuring voters by forcible occupation of polling stations or through illegal activities in the polling station; to refrain from disturbing the congenial and peaceful atmosphere for an election through spreading untrue and motivated rumours; to avoid withdrawing of voter registration certificates by force, intimidation, through gifts, or gratifications with an intention of increasing votes or reducing votes for opponent candidates; to refrain from issuing snatched or fake registration certificates to the electorate who have lost their certificates or did not register in order to rig elections.

In relation to the Commission

To acknowledge the Commission's authority in the conduct of the election; to implement its orders and directions; to co-operate in the official investigation of issues and allegations arising during the election period; and to take all reasonable steps to ensure the safety of representatives of the Commission from exposure to insult hazard or threat in the course of their official duties; to accept the final outcome of the election and the Commission's declaration and certification of the results.

Enquiries

All enquiries regarding the By-Election should be directed to the Press Officer at Tel 622 770 or 624 226 Fax 622 149

Issued by the

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